

Appendix A: Agency Coordination

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Date/Document	Subject
Letters of Intent to Study	
March 28, 2008 NDOT letter to list of recipients attached to letter	Notice of intent to study, request for comments, and agency scoping meeting invite
March 31, 2008 EPA letter to FHWA	Response to Federal Register Notice requesting comments, and acceptance to serve as participating agency, and scoping comments
April 8, 2008 FEMA letter to NDOT	Response to Letter of Intent to Study, and comments
April 16, 2008 Agency Scoping Meeting Minutes	Meeting Minutes
April 24, 2008 Nevada Department of Wildlife letter to NDOT	Response to Letter of Intent to Study, and comments
April 29, 2008 Nevada Department of Administration letter to NDOT	Stating that the Division of State Lands and State Historic Preservation Office support the Pyramid Highway/US 395 Connector project document, per EO 12372
Cooperating Agency/Participating Agency/Agency Scoping/ Technical Advisory Committee (TAC)	
April 1, 2008, FHWA letter to BIA	Invite for participating agency, agency scoping meeting, and TAC participation
April 1, 2008, FHWA letter to BLM	Invite for participating agency, cooperating agency, agency scoping meeting, and TAC participation
April 1, 2008, FHWA letter to EPA	Invite for participating agency, agency scoping meeting, and TAC participation
April 1, 2008, FHWA letter to FEMA	Invite for participating agency, agency scoping meeting, and TAC participation
April 1, 2008, FHWA letter to USACE	Invite for participating agency, agency scoping meeting, and TAC participation
April 1, 2008, FHWA letter to Fish and Wildlife Service, Nevada Fish and Wildlife Office	Invite for participating agency, agency scoping meeting, and TAC participation
April 4, 2008, NDOT letter to Nevada Department of Wildlife	Invite for participating agency, agency scoping meeting, and TAC participation
April 4, 2008, NDOT letter to SHPO	Invite for participating agency, agency scoping meeting, and TAC participation
April 4, 2008, NDOT letter to Department of Conservation and Natural Resources	Invite for participating agency, agency scoping meeting, and TAC participation
April 4, 2008, NDOT letter to City of Reno, Mayor	Invite for participating agency, agency scoping meeting, and TAC participation

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Date/Document	Subject
April 4, 2008, NDOT letter to Washoe County Commission	Invite for participating agency, agency scoping meeting, and TAC participation
April 4, 2008, NDOT letter to City of Sparks Mayor	Invite for participating agency, agency scoping meeting, and TAC participation
April 8, 2008 BLM letter to FHWA	Accept invitation to serve as cooperating agency.
April 14, 2008 RSIC email to FHWA	Accept invitation to serve as participating agency.
April 18, 2008 City of Reno Letter to NDOT	Request to serve as participating agency.
April 18, 2008 Washoe County Department of Public Works letter to RTC	Accept invitation to serve as participating agency.
April 21, 2008 City of Sparks letter to Steven Cooke	Accept invitation to serve as participating agency.
April 25, 2008 USFWS letter to FHWA	Decline to serve as participating agency, and reiterated comments made at agency scoping meeting on April 16, 2008.
April 30, 2008 EPA letter to FHWA	Accept invitation to serve as participating agency
August 28, 2008, RTC letter to City of Sparks Public Works	Clarifying NDOT April 1. 2008 letter regarding role in milestone and document reviews
August 28, 2008, RTC letter to Washoe County Planning	Clarifying NDOT April 1. 2008 letter regarding role in milestone and document reviews
August 28, 2008, RTC letter to City of Reno Planning	Clarifying NDOT April 1. 2008 letter regarding role in milestone and document reviews
September 4, 2008 EPA letter to FHWA	Comments on purpose and need, screening methodology, and range of alternatives.
September 9, 2008 City of Reno letter to RTC	Accept invitation to serve as participating agency and comments on purpose and need, alternatives screening, and range of alternatives.
March 29, 2012 FHWA letter to BIA	Invitation to serve as a cooperating agency
March 29, 2012 FHWA letter to Reno-Sparks Indian Colony	Invitation to serve as a cooperating agency
May 1, 2012 BIA letter to FHWA	Accept invitation to serve as a cooperating agency
July 9, 2012 Reno-Sparks Indian Colony letter to FHWA	Accept invitation to serve as a cooperating agency
Section 106	
Draft Programmatic Agreement	Draft in-progress Programmatic Agreement for meeting Section 106 requirements
June 19, 2013 FHWA letter to ACHP	Invitation to participate in Section 106 process and Programmatic Agreement

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Date/Document	Subject
July 26, 2013 ACHP letter to FHWA	Decline participation in Section 106 process. Noted requirement to file final Programmatic Agreement and supporting documentation with ACHP at conclusion of consultation process.
Tribal Coordination	
April 1, 2008, FHWA letter to Pyramid Lake Paiute Tribe	Invite for participating agency, agency scoping meeting, and TAC participation
April 1, 2008, FHWA letter to RSIC	Invite for participating agency, agency scoping meeting, and TAC participation
April 1, 2008, FHWA letter to Washoe Tribe of Nevada and California	Invite for participating agency, agency scoping meeting, and TAC participation
February 12, 2009 Form from Pyramid Lake Paiute Tribe to FHWA	Completed response form.
January 19, 2010 meeting with RSIC	Discuss the tribe's concerns, study alternatives, EIS process, Section 106 status, RSIC's plans for parcel.
June 17, 2011 meeting with RSIC	Project overview and background, EIS alternatives, effects to RSIC property near Eagle Canyon, economic, noise, traffic increases, opportunity for project public art or landscape theme.
December 9, 2011 meeting with RSIC	Project update and overview, Section 106 update, EIS alternatives, BIA contact, effects to RSIC parcel.
January 31, 2012 meeting with RSIC	Project status update, right-of-way issues, BIA involvement, economic development
April 26, 2012 meeting with RSIC	Project status update, further discussion of right-of-way issues, BIA involvement, economic development
December 28, 2012	Memo from FHWA to RSIC and BIA –summary of potential impacts to the Reno-Sparks Indian Colony Property (includes email transmittal from Jacobs)
March 29, 2013 RSIC letter to RTC	Comments on January 2013 Administrative Draft EIS.
March 29, 2013 BIA letter to RTC	Comments on January 2013 Administrative Draft EIS.
June 19, 2013 FHWA letter to RSIC copied to BIA	Response to comments on January 2013 Administrative Draft EIS.
Consulting Party Correspondence	
February 5, 2009 FHWA letter to Pyramid Lake Paiute Tribe Chairman	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to Tribal Council Chairman, Washoe Tribe of Nevada and California	Invite to serve as Section 106 consulting party

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Date/Document	Subject
February 5, 2009 FHWA letter to Reno-Sparks Indian Colony Chairperson	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to SHPO	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to CLG-Contact, City of Reno, Nevada	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to Community Development Director, City of Sparks, Nevada	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to Director, County of Washoe	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to Center for Basque Studies, University of Nevada	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to Nevada Humanities-Reno Office	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to Nevada State Museum	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to Historic Reno Preservation Society (HRPS)	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to Sparks Heritage Museum	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to Desert Research Institute	Invite to serve as Section 106 consulting party
February 5, 2009 FHWA letter to BLM	Invite to serve as Section 106 consulting party
SHPO Correspondence	
February 5, 2009 FHWA letter to SHPO	Invite to serve as historic consulting party
May 18, 2011 FHWA letter to SHPO	Request for concurrence on APE
September 8, 2011 FHWA letter to SHPO	Additional information and request for APE concurrence.
October 11, 2011 SHPO letter to FHWA	Concurrence with APE as described in FHWA's September 8, 2011 letter
February 28, 2012 FHWA letter to SHPO	Request for concurrence on findings of eligibility for architectural resources and attachments.
March 28, 2012 SHPO letter to FHWA	Request additional information regarding findings of eligibility.

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Date/Document	Subject
August 3, 2012 FHWA letter to SHPO	Provide additional information requested by SHPO to concur with findings of eligibility.
August 31, 2012 SHPO letter to FHWA	Concurrence on eligibility determinations for certain resources, recommend Old Pyramid Highway Alignment as Unevaluated, and questions about effects and APE.
November 29, 2012 FHWA email to SHPO	Request for concurrence on Old Pyramid Highway NRHP eligibility determination.
December 3, 2012 SHPO email to FHWA	Request additional information for Old Pyramid Highway
March 7, 2013 FHWA letter to SHPO	Letter providing additional information for Old Pyramid Highway and request for SHPO concurrence on eligibility determination.
April 3, 2013 SHPO letter to FHWA	Concurrence on eligibility determination for Old Pyramid Highway, with the August 31, 2012 SHPO letter to FHWA as an attachment.
Wildlife Agency Correspondence	
November 3, 2008 NDOT letter to Natural Heritage Program	Species List request
November 3, 2008 NDOT letter to US Fish and Wildlife Service	Request for Threatened and endangered species list and qualitative information and references for species within or adjacent to project area.
November 18, 2008 USFWS letter to NDOT	species information
October 4, 2011, USFWS email to Jacobs	species list update
November 17, 2011, USFWS letter to Jacobs	Carson wandering skipper
December 8, 2011 Nevada Dept. of Wildlife letter to Jacobs	for wildlife resources information
January 21, 2009 Nevada Natural Heritage Program letter to NDOT	Information for endangered, threatened, candidate, and/or risk plant and animal taxa.
Parks and Recreation / Section 4(f) Correspondence	
February 29, 2008 City of Sparks letter to BLM	Response to BLM request for written comments on Notice of Realty Action to lease and convey 265 of public land in Washoe County—Wedekind Park
November 12, 2008 City of Sparks letter to FHWA	Joint recreation and transportation use within Wedekind Park
April 9, 2009, RTC letter to BLM	Sparks Justice Center and Wedekind Park
April 22, 2009, BLM letter to RTC	Wedekind Regional Park

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Date/Document	Subject
August 23, 2011, Resolution of Support, Pyramid Highway/US 395 Connector EIS, Washoe County	Sun Valley Open Space (APN 035-370-01)
October 1, 2012 RTC letter to City of Sparks	Letter sent to City of Sparks in draft form regarding Section 4(f) uses at Wedekind Park, intent for a <i>de minimis</i> finding, and concurrence request.
April 3, 2013 RTC letter to City of Sparks	Letter to City of Sparks in final signed form regarding Section 4(f) uses at Wedekind Park, intent for a <i>de minimis finding</i> , and concurrence request. Includes City of Sparks signed concurrence dated 5/13/13.
Technical Advisory Committee	
February 21, 2008 meeting minutes	Meeting minutes: review of project goals, objectives, organization, and alternatives development
April 17, 2008 meeting minutes	Meeting minutes: update on environmental, engineering, and traffic analysis activity
July 17, 2008 meeting minutes	Meeting minutes: update on environmental activity, overview of level 1 screening process, engineering update
September 18, 2008 meeting minutes	Meeting minutes: update on environmental activity, overview of level 1 screening process, and description of the level 2A process
January 15, 2009 meeting minutes	Meeting minutes: update on environmental activity, level 2A screening, and travel demand and traffic analysis
February 19, 2009 meeting minutes	Meeting minutes: update on environmental activity and level 2A screening process
May 21, 2009 meeting minutes	Meeting minutes: update on environmental activity, alternatives development, traffic analysis, and level 2B screening
July 16, 2009 meeting minutes	Meeting minutes: update on environmental activity and right-of-entry process
October 15, 2009 meeting minutes	Meeting minutes: alternatives development, including design concept review
January 21, 2010 meeting minutes	Meeting minutes: update on environmental activity, traffic demand, level of service, alternatives development, and public outreach
August 19, 2010 meeting minutes	Meeting minutes: update on environmental activity and alternatives development, discussion of project phasing
February 17, 2011 meeting minutes	Meeting minutes: update on environmental activity, level 3 screening, and level 3 traffic analysis

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Date/Document	Subject
March 17, 2011 meeting minutes	Meeting minutes: discussion of supplemental alternatives screening and public outreach update
August 14, 2012 RTC Email to TAC Members	Project status update.
General	
January 19, 2012 letter from Natural Resources Conservation Service to Jacobs	No Prime or Unique Farmlands within the study area, no conversation impact rating is required.
June 27, 2013 letter from State of Nevada Department of Conservation & Natural Resources Division of Water Resources	Comments about required coordination, approvals, and mitigation measures regarding area water rights; water or monitor wells or boreholes; and water used for construction.

**Appendix A:
Agency Coordination**

Letters of Intent to Study



JIM GIBBONS
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

SUSAN MARTINOVICH, P.E., *Director*

March 28, 2008

In Reply Refer to:

Intent-to-Study
Proposed Pyramid Highway / US 395 Connector Project

To Whom It May Concern:

The Nevada Department of Transportation, along with the Federal Highway Administration and the Washoe County Regional Transportation Commission, is proposing to prepare an Environmental Impact Statement in compliance with the National Environmental Policy Act (NEPA) to study transportation improvements along the Pyramid Highway corridor from Queen Way to Calle de la Plata, and improving east-west connections from US 395 to Vista Drive. A Notice of Intent was published in the Federal Register February 29, 2008.

This letter is to inform you of the study and solicit your comments concerning the project. Areas of potential impact could include, but are not limited to, the following:

- | | |
|-----------------------------|------------------------------------|
| 1. Access | 9. Public Parks & Recreation Areas |
| 2. Aesthetics | 10. Noise Levels |
| 3. Air Quality | 11. Safety |
| 4. Archaeological Resources | 12. Social Considerations |
| 5. Geology | 13. Vegetation |
| 6. Hazardous Waste | 14. Water Quality and Hydrology |
| 7. Historic Buildings | 15. Wildlife and Wildlife Refuges |
| 8. Land Use | |

An information meeting will be held on **Tuesday, April 15, 2008** from 4:00 p.m. to 7:00 p.m. at the Lazy 5 Community Center, 7100 Pyramid Highway, Sparks, Nevada to inform you, as interested individuals, groups, and agencies, about the project and to receive your comments and suggestions. Please see the enclosed Transportation Notice for further information.

We would appreciate receiving any response you may have by **5 p.m., Friday, May 2, 2008**. If no response is received, the department will assume you foresee no potential impacts in your particular area of responsibility or interest. Comments or questions regarding the proposed project may be addressed to:

Daniel Nollsch
Environmental Services Supervisor
Nevada Department of Transportation
Environmental Services Division
1263 South Stewart Street
Carson City, NV 89712
Ph: 775-888-7013

Sincerely,

Steve M Cooke, P.E., Environmental Services Division Chief





**PYRAMID
HIGHWAY**



**US 395
CONNECTION**

PUBLIC INFORMATION MEETING

PURPOSE OF MEETING: The Washoe County Regional Transportation Commission (RTC), acting on behalf of the Nevada Department of Transportation (NDOT), and in cooperation with the Federal Highway Administration (FHWA) is conducting a Public Information Meeting to provide project information and receive comments from the public on the proposed Pyramid Highway/US 395 Connection project.

WHEN AND WHERE:

**Tuesday, April 15, 2008
4:00p.m. to 7:00 p.m.**

**Lazy 5 Community Center,
7100 Pyramid Highway
Sparks, Nevada.**

WHY: The project will involve preparation of an Environmental Impact Statement in compliance with the National Environmental Policy Act (NEPA). The project will study transportation improvements along the Pyramid Highway corridor from Queen Way to Calle de la Plata, and improving east/west connections from US 395 to Vista Drive.

WHERE YOU COME IN: You are invited to attend the Public Information Meeting at your convenience anytime between 4:00 p.m. and 7:00 p.m. Project representatives will be available to discuss the project and answer questions. There will be a brief presentation about the project at 5:30 p.m. followed by a short open comment period. The meeting format will be "open house" from 4:00 p.m. to 5:30 p.m., returning to the open house format following the presentation/comment session. This will allow you to talk to project representatives individually. You will have an opportunity to submit your comments in writing on a comment sheet provided at the meeting or verbally to a court reporter who will be available throughout the meeting to record your comments. In addition, written comments will also be accepted until 5:00 p.m. Friday, May 2, 2008.

Please submit comments to: Doug Maloy, PE, Project Manager, Regional Transportation Commission of Washoe County, 1105 Terminal Way, Suite 108, Reno, Nevada, 89502, phone (775) 335-1865, fax (775) 348-0170, email dmaloy@rtcwashoe.com or to Steve M. Cooke, P.E., Chief, NDOT Environmental Services Division, 1263 South Stewart Street, Room 104, Carson City, NV 89713, phone (775) 888-7013, fax: (775) 888-7104. You may also submit online at http://www.nevadadot.com/pub_involvement/meetings; refer to Pyramid Highway/US 395 Connection in the subject line.

General information about the Public Information Meeting can be obtained from Doug Maloy, PE, Project Manager, Regional Transportation Commission of Washoe County, 1105 Terminal Way, Suite 108, Reno, NV 89502, phone (775) 335-1865, fax (775) 348-0170 or e-mail dmaloy@rtcwashoe.com.

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 will govern the acquisition of any right-of-way necessary for this project.

Pursuant to Title II of the Americans with Disabilities Act (ADA), the RTC and NDOT do not discriminate on the basis of disability in admissions to or participation in public meetings. Individuals with disabilities requiring accommodations for effective participation and communication at the meeting may contact Julie Maxey, Public Hearings Officer (775) 888-7171, to make known their needs and preferences. Request for accommodation must be at least 48 hours in advance of the meeting.



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

**75 Hawthorne Street
San Francisco, CA 94105-3901**

March 31, 2008

Abdelmoez A. Abdalla
Environmental Program Manager
Federal Highway Administration
705 N. Plaza, Suite 220
Carson City, NV 89701

Subject: Scoping Comments for the Proposed Improvements to Pyramid Way and the
Proposal for a New Corridor from Vista Boulevard to US-395, Washoe County,
Nevada

Dear Mr. Abdalla:

The U.S. Environmental Protection Agency (EPA) has reviewed the Federal Register Notice published on February 29, 2008, requesting comments on the Federal Highway Administration (FHWA) decision to prepare a Draft Environmental Impact Statement (DEIS) for the proposed improvements to Pyramid Way and the proposal for a new corridor from Vista Boulevard to US-395 in Washoe County, Nevada.

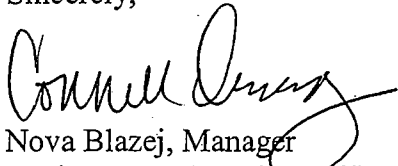
EPA looks forward to coordination for this project as a participating agency, as defined in the environmental review process discussed in Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

The enclosed comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act. EPA appreciates the opportunity to comment on preparation of the DEIS.

We understand that there will be an agency scoping meeting on April 16. If we are unable to attend in person, we would like to participate in this meeting via conference call. Please contact Carolyn Mulvihill, lead NEPA reviewer for this project (mulvihill.carolyn@epa.gov, 415-947-3554) with information regarding calling in to the meeting.

Once the DEIS is released for public review, please send two hard copies and, if available, one electronic copy to Carolyn at the address above (mail code: CED-2) and contact Carolyn with any questions related to the comments provided in this letter. We look forward to participating in the project's EIS development and reviewing the DEIS.

Sincerely,

for 
Nova Blazej, Manager
Environmental Review Office

Enclosures:
EPA's Detailed Comments

cc: Steve Cooke, Nevada Department of Transportation
Doug Maloy, Regional Transportation Commission
Steve Roberts, U.S. Army Corps of Engineers
Steve Abel, U.S. Fish and Wildlife Service

Purpose and Need

The purpose and need statement developed for the proposed project should concisely identify why the project is being proposed and should focus on the desired outcomes of the project (to relieve congestion, for example) rather than methods to address the desired outcomes (increase capacity, for example). Specifically, the need for the proposed improvements must be articulated and justified with consideration of the existing facilities in the area. The two major elements of the proposed project, improvements to Pyramid Way and the new corridor, should each be justified.

The projections of future growth and travel increases used to identify the need for the proposed project should be presented with the assumptions used for land use and travel demand forecasting. The Draft Environmental Impact Statement (DEIS) should incorporate estimates of the magnitude of induced travel into any travel demand modeling and impact analysis (www.fhwa.dot.gov/steam/doc.htm).

Range of Alternatives

The DEIS should examine a full range of alternatives to meet the purpose and need for the project. The Federal Register Notice states that the DEIS will consider various improvement alternatives as well as a no action alternative. Given the relative lack of current development in the vicinity of the proposed project, EPA recommends that the DEIS consider all reasonable alternatives (Council on Environmental Quality 40 Most Asked Questions, Number One and Number Two, Federal Register Volume 46, Number 55). Specifically, EPA recommends that the DEIS consider an alternative or group of alternatives that maximizes the use of existing facilities, including Value Pricing, or other market-based traffic-management approaches. Congestion pricing, high occupancy toll lanes, and fast and intertwined regular (FAIR) lanes can also reduce delay and address congestion issues (DeCorla-Souza and Skaer. Federal Highway Administration. Transportation Research Board Paper No. 03-2941).

EPA commented on October 3, 2007 on a Notice of Intent (NOI) for proposed improvements to the intersection of Pyramid Way and McCarran Boulevard. It is unclear from the NOIs whether the two proposed projects will be directly adjacent to one another, but since the project areas are close, the environmental analysis should include information on how the environmental, design, and construction processes for the two projects will relate. In particular, it is important that any selection of alternatives made for the intersection not preclude a full range of reasonable alternatives from being included in the environmental analysis of improvements to Pyramid Way.

Impacts to Surface Water Hydrology and Water Quality

The vicinity of the proposed project appears to contain large areas of undeveloped land adjacent to residential and other development. The undeveloped areas could contain ephemeral

streams, washes, and other hydrologic features that may provide water quality, flood control, and ecological values.

Potential impacts resulting from the proposed project may be both direct, from construction and use of the facility, and indirect, from growth inducement resulting from the project. These include potential erosion and other construction-related impacts from what may be a lengthy, multi-phased project build-out. Specifically, aquatic ecosystems may be altered by permanently changing hydrological processes, potentially increasing the velocity and volume of stormwater flows, and discharging pollutants from nuisance flows from development into receiving waters. This is particularly important to consider with new highway alignments and new interchanges associated with a new facility, which can lead to multiple resources impacted within the “zone of influence” that new interchanges provide.

Recommendations:

- The DEIS should address each of these potential direct and indirect, or secondary, impacts and identify specifically how each of the following impacts will be minimized or avoided:
 - (1) changes in hydrology and sediment transport capacity of currently undeveloped areas;
 - (2) increases in impervious surfaces and the corresponding increases in the volume and velocity of polluted stormwater;
 - (3) decreases in water quality from the impairment of floodplain and ecosystem functions including water filtration, groundwater recharge, and flood attenuation;
 - (4) disruption of hydrological and ecological connectivity; and
 - (5) decreases in biodiversity and ecosystem stability.

Impacts to CWA Section 404 Waters

Discharges of dredged or fill material into waters of the United States require authorization by the U.S. Army Corps of Engineers under Clean Water Act Section 404. This project may meet the criteria for coordination under the NEPA/404 MOU, which includes specific concurrence points to assist in developing the DEIS and involves active participation by resource agencies in meetings and document reviews. We encourage the Federal Highway Administration (FHWA) to contact the NEPA/404 signatory agencies once more information about the potential impact to waters of the United States is available so that the concurrence points, if necessary, can be addressed as early as possible in the EIS process.

Recommendations:

- Disclose the approximate acreage and function of waters that occur within the study area of the proposed project, including permanent, intermittent, and ephemeral streams, wetlands, and other waterways, including floodplains.
- Disclose sufficient detail about potential adverse effects on local and regional water quality that may result from stormwater runoff and other nuisance flows as envisioned under 40 CFR 230.10(b), 40 CFR 230.12(a)(3)(iv), and NEPA. The DEIS should describe how the project will manage stormwater while not compromising the natural ecosystem.

- Address impacts to floodplains and discuss methods to avoid and minimize these impacts.
- Avoid and minimize direct and indirect impacts to waters to the maximum extent practicable and quantify water resources avoided. Typically, transportation projects can accomplish this by: (1) using spanned crossings, arch crossings, or oversized buried box culverts over drainages to encourage continuity of sediment transport and hydrological processes and wildlife passage; (2) moving road alignments to avoid impacts to wetlands and waterways; and (3) establishing and maintaining adequate buffers away from aquatic resources.

Indirect Growth Impacts

EPA is concerned about the potential indirect impacts (40 CFR Part 1508.8(b)) of this project. Improved access to undeveloped areas may affect the location and timing of growth on surrounding lands. The project would benefit from analysis of growth-related impacts early in project development. A growth-related impact analysis assists with compliance requirements of NEPA by considering environmental consequences as early as possible and providing a well-documented and sound basis for government decisionmaking.

The May 2006 *Guidance for Preparers of Growth-related, Indirect Impact Analyses* (Guidance) [http://www.dot.ca.gov/ser/Growth-related_IndirectImpactAnalysis/gri_guidance.htm] developed jointly by the California Department of Transportation (Caltrans), FHWA, and EPA, provides an approach to developing a growth-related impact analysis. The Guidance is relevant to highway projects outside of California. After the potential for growth is identified for each alternative, the Guidance recommends assessing if growth-related impacts affect resources of concern.

Recommendations:

- Identify if the project will affect the location and/or timing of planned growth in the area. Specifically, the analysis should identify the potential resources that may be affected by the increased “zone of influence” associated with interchanges and impacting resources outside of the right-of-way.
- Identify the types of resources that are likely to occur in geographic areas that may be affected by growth. If it is determined that there will be no, or insignificant, impacts to resources of concern, then document the analysis process and report the results. EPA recommends following the Step-by-Step Approach for Conducting the Analysis in Chapter 6 of the Guidance.
- Include a discussion of mitigation strategies to reduce impacts if adverse impacts cannot be avoided or minimized. Section 6.3 of the Guidance provides an approach to address mitigation for growth-related impacts.

Cumulative Impact Analysis

Cumulative impacts are defined in CEQ’s NEPA regulations as the impact on the environment that results from the incremental impact of the action when added to the other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or non-

Federal) or person undertakes such actions (40 CFR 1508.7). These actions include both transportation and non-transportation activities. The cumulative impact analysis should consider non-transportation projects such as large-scale developments and approved urban planning projects that are reasonably foreseeable and are identified within city and county planning documents.

The cumulative impact analysis should describe the “identifiable present effects” to various resources attributed to past actions. The purpose of considering past actions is to determine the current health of resources. This information forms the baseline for assessing potential cumulative impacts and can be used to develop cooperative strategies for resource protection (CEQ's Forty Most Frequently Asked Questions #19).

The cumulative impact analysis for the project also provides an opportunity to identify potential large, landscape-level statewide and regional impacts, as well as potential large-scale mitigation measures. The analysis should examine landscape-level impacts to all sensitive resources. The cumulative impact analysis should guide future environmental analyses and potential avoidance and minimization measures, while focusing design and mitigation efforts.

Recommendations:

- Conduct a thorough cumulative impact assessment that includes a complete list of reasonably foreseeable actions, including non-transportation projects.
- EPA recommends the use of the June 2005 *Guidance for Preparers of Cumulative Impacts Analysis* developed jointly by Caltrans, FHWA, and EPA [http://www.dot.ca.gov/ser/cumulative_guidance/purpose.htm]. The guidance is relevant to highway projects outside of California and will assist in identifying cumulative impacts and preparing an analysis that is sound, well documented, and compliant with 404(b)(1) Guidelines. The DEIS should include the following eight steps for identifying and assessing cumulative impacts:
 - 1) Identify the resources to consider in the cumulative impact analysis by gathering input from knowledgeable individuals and reliable information sources. This process is initiated during project scoping and continues throughout the NEPA analysis.
 - 2) Define the geographic boundary or Resource Study Area (RSA) for each resource to be addressed in the cumulative impact analysis.
 - 3) Describe the current health and the historical context of each resource.
 - 4) Identify the direct and indirect impacts of the proposed project that might contribute to a cumulative impact on the identified resources.
 - 5) Identify the set of other current and reasonably foreseeable future actions or projects and their associated environmental impacts to include in the cumulative impact analysis
 - 6) Assess the potential cumulative impacts.
 - 7) Report the results of the cumulative impact analysis.
 - 8) Assess the need for mitigation and/or recommendations for actions by other agencies to address a cumulative impact.
- Identify potential large, landscape-level regional impacts, as well as potential large-scale mitigation measures.

Air Quality

Washoe County is federally designated serious nonattainment for particulate matter smaller than 10 microns (PM_{10}) and moderate nonattainment for carbon monoxide (CO). Because of the area's nonattainment status, it is important to reduce emissions of CO and particulate matter from this project to the maximum extent. Hot spot analysis for CO and a qualitative PM_{10} analysis are required as part of the environmental review process. The DEIS should also identify sensitive receptors in the vicinity of the project area.

Recommendations:

- Provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), criteria pollutant nonattainment areas, and potential air quality impacts of the project (including cumulative and indirect impacts) for each alternative.
- Include a thorough analysis of impacts from the construction and operation of the proposed alternatives. Include monitoring data, any anticipated exceedances of NAAQS, and estimates of all criteria pollutant emissions and diesel particulate matter (DPM), including the federal 8-hour ozone standard and the $PM_{2.5}$ standard.
- Disclose the available information about the health risks associated with vehicle emissions, sensitive receptors in the vicinity of the project area, and how the proposed project will affect current emission levels.

Construction

FHWA should include a Construction Emissions Mitigation Plan for fugitive dust and DPM in the DEIS and adopt this plan in the Record of Decision (ROD). EPA recommends the following mitigation measures be included in the Construction Emissions Mitigation Plan in order to reduce impacts associated with emissions of DPM and other toxics from construction-related activities.

Fugitive Dust Source Controls:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earthmoving equipment to 10 mph.

Mobile and Stationary Source Controls:

- Reduce use, trips, and unnecessary idling from heavy equipment.
- Maintain and tune engines per manufacturers' specifications to perform at EPA certification levels and to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary

idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications.

- Prohibit any tampering with engines and require continuing adherence to manufacturers' recommendations.
- If practicable, lease new equipment meeting the most stringent of applicable Federal or state standards.
- Utilize EPA-registered particulate traps and other appropriate controls where suitable to reduce emissions of DPM and other pollutants at the construction site.

Administrative Controls:

- Coordinate with appropriate air quality agencies to identify a construction schedule to minimize cumulative impacts from multiple development and construction projects in the region, if feasible to minimize cumulative impacts.
- Identify all commitments to reduce construction emissions and quantify air quality improvements that would result from adopting specific air quality measures.
- Identify where implementation of mitigation measures is rejected based on economic infeasibility.
- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.)
- Utilize cleanest available fuel engines in construction equipment and identify opportunities for electrification. Use low sulfur fuel (diesel with 15 parts per million or less) in engines where alternative fuels such as biodiesel and natural gas are not possible.
- Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.
- Identify sensitive receptors and sensitive receptor locations in the project area, such as children, elderly, schools, and hospitals, and specify the means by which you will minimize impacts to these populations. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.

Transportation Conformity

The DEIS should demonstrate that the project is included in a conforming transportation plan and a transportation improvement program. The DEIS should ensure that the emissions from both the construction and the operational phases of the project conform to the applicable State Implementation Plans, if appropriate, and do not cause or contribute to violations of the NAAQS.

Mobile Source Air Toxics

EPA, FHWA, and the Nevada Department of Transportation (NDOT) have recently initiated a dialogue regarding analysis of mobile source air toxics (MSATs) for highway projects in Nevada. EPA's recommendations for MSAT analysis have focused on identification of sensitive receptors, dispersion modeling to determine MSAT impacts at sensitive receptor locations, and use of this data to inform decisionmaking on project alternatives and mitigation measures.

MSAT impacts were the primary concern of the Sierra Club in its legal challenge to an US 95 widening project in Las Vegas (*Sierra Club v. Mineta*, D. Nev., No. CV-S-02-0578-PMP-RJJ, settlement announced 6/27/05). The settlement agreement in this case requires FHWA and NDOT to install air pollution monitoring and filtration systems at three schools adjacent to US 95, relocate portable school buildings and playgrounds, help redesign a nearby high school to minimize exposures, and retrofit diesel school buses to reduce emissions.

A large number of recent studies have examined the association between living near major roads and different adverse health endpoints. Several well-conducted epidemiologic studies have shown associations with cardiovascular effects, premature adult mortality, and adverse birth outcomes, including low birth weight and size. Traffic-related pollutants have been repeatedly associated with increased prevalence of asthma-related respiratory symptoms in children. Also, based on toxicological and occupational epidemiologic literature, several of the MSATs, including benzene, 1,3-butadiene, and diesel exhaust, are classified as known and likely human carcinogens. Thus, cancer risk, including childhood leukemia, is a potential concern in near roadway environments. For additional information on MSATs, please see EPA's MSAT website: <http://www.epa.gov/otaq/toxics.htm>.

Given the significant concerns about adverse health effects from mobile source pollutants and the project's potential for emissions in close proximity to current and future residential communities and sensitive receptors, EPA recommends performing an analysis of potential MSAT impacts to inform decisionmaking between project alternatives and to inform avoidance, minimization, and mitigation options, such as restricting future growth near roadways. When considering appropriate and useful levels of analysis, EPA recommends that FHWA consider the following:

- The likelihood of impact and potential magnitude of the effect, including both the magnitude of emissions and the proximity of the project emissions to potential residential and sensitive receptors, such as schools, hospitals, day care facilities, and nursing homes;
- The severity of existing conditions;
- Whether the project is controversial and whether air toxics concerns have been raised by the public for this project or for other projects in the area in the past;
- Whether there is a precedent for analysis for projects of this type, either under NEPA or other environmental laws; and
- Whether the analysis could be useful for distinguishing between alternatives, informing design changes, and targeting mitigation.

The March 2007 report entitled "Analyzing, Documenting, and Communicating the Impacts of Mobile Source Air Toxic Emissions in the NEPA Process" conducted for the American Association of State Highway and Transportation Officials (AASHTO) Standing Committee on the Environment and funded by the Transportation Research Board ([http://www.trb.org/NotesDocs/25-25\(18\)_FR.pdf](http://www.trb.org/NotesDocs/25-25(18)_FR.pdf)) describes the following levels of analysis for consideration in MSAT analyses: qualitative discussion; quantify emissions; toxicity-weight emissions; dispersion modeling; and risk assessment.

Procedures for toxicity-weighting, which EPA has found to be especially useful for the targeting of mitigation, are described in EPA's Air Toxics Risk Assessment Reference Library (Volume 3, Appendix B, beginning on page B-4, http://epa.gov/ttn/fera/data/risk/vol_3/Appendix_B_April_2006.pdf). These recommendations, and the recommendations included in the report for AASHTO referenced above, differ substantially from the FHWA interim guidance (February 2006) on MSAT analysis for transportation projects under NEPA. While there are positive elements to the FHWA guidance, especially the acknowledgement of potential MSAT concerns, EPA continues to disagree with major elements of the FHWA approach nationally. EPA is available to work with FHWA to evaluate the appropriate level of MSAT analysis for this project.

Recommendations:

- Include an analysis of potential MSAT impacts in the DEIS to inform decisionmaking between project alternatives and to inform avoidance, minimization, and mitigation options.
- The analysis should include a combination of the following methods, depending upon the factors discussed above: qualitative discussion, quantification of emissions, toxicity-weight emissions, dispersion modeling, and risk assessment.

Environmental Justice

Executive Order 12898 addresses Environmental Justice in minority and low-income populations, and the Council on Environmental Quality has developed guidance concerning how to address Environmental Justice in the environmental review process (<http://ceq.eh.doe.gov/nepa/regs/ej/justice.pdf>).

Recommendations:

- The DEIS should include a description of the area of potential impact used for the environmental justice impact analysis and provide the source of the demographic information.
- The DEIS should identify whether the proposed alternatives may disproportionately and adversely affect low-income or minority populations in the surrounding area and should provide appropriate mitigation measures for any adverse impacts.

Protection of Historic and Cultural Resources

Section 106 of the National Historic Preservation Act of 1966 requires federal agencies to consider the effects of their actions on historic properties, which include buildings, structures, objects, sites, districts, and archaeological resources.

Recommendations:

- In the DEIS, assess potential impacts to historical, archaeological, and cultural resources and coordinate with affected Tribes and other interested parties.
- Clearly document the methodology used for determining the potential impacts to cultural and historic resources.
- Address what mitigation techniques will be used should sensitive resources be discovered, including recording or removal of materials, and/or changes in project design.
- Identify the status of any Memorandum of Understanding with the State Historic Preservation Officer regarding the project.

Biological Resources

The proposed project may have direct and indirect impacts on federal- and state-listed threatened and endangered species and other biological resources in the project vicinity.

Recommendations:

- Identify all petitioned and listed threatened and endangered species and critical habitat within the project area and assess which species and critical habitats might be directly or indirectly affected by each alternative.
- Include the status of the Endangered Species Act Section 7 consultation process.
- Describe efforts to avoid and/or minimize impacts to species and their associated habitats.
- In accordance with Executive Order 13112 on Invasive Species, identify proposed methods to minimize the spread of invasive species and use native plant and tree species where revegetation is planned. Commit to saving removed native soils for use in revegetation projects.
- Clearly demonstrate compliance with Section 4(f) (49 U.S.C. 303).

D 4/14

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052

P 4/14



FEMA

April 8, 2008

Daniel Nollsch
Environmental Services Supervisor
Nevada Department of Transportation
Environmental Services Division
1263 South Stewart Street
Carson City, Nevada 89712

Dear Mr. Nollsch:

This is in response to your request for comments on the Intent-to-Study, Proposed Pyramid Highway/US 395 Connector Project.

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the City of Reno (Community Number 320020), City of Sparks (Community Number 320021), and Washoe County (Community Number 320019); all maps are revised as of June 6, 2001. Please note that the Cities of Reno and Sparks, and Washoe County, Nevada are participants in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any **development** must not increase base flood elevation levels. **The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

Daniel Nollsch
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April 8, 2008

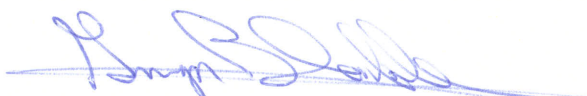
- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Washoe County floodplain manager can be reached by calling David T. Price, PE, County Engineer, at (775) 328-2045. The City of Reno floodplain manager can be reached by calling Kerri Williams-Lanza, Designated Floodplain Administrator, Senior Civil Engineer, at (775) 334-2683. The City of Sparks floodplain manager can be reached by calling Shawn Gooch, Flood Control Manager, at (775) 353-7824.

If you have any questions or concerns, please do not hesitate to call Sarah Owen of the Mitigation staff at (510) 627-7050.

Sincerely,



Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:

Doug Maloy, PE, Project Manager, Regional Transportation Commission, Washoe County
Steve M. Cooke, PE, Chief, Nevada Department of Transportation, Environmental Services
Division

Abdelmoez A. Abdalla, Environmental Program Manager, U. S. Department of Transportation,
FHA, Nevada Division

David T. Price, PE, County Engineer, Washoe County

Kerri Williams-Lanza, Designated Floodplain Administrator, Senior Civil Engineer, City of
Reno

Shawn Gooch, Flood Control Manager, City of Sparks

Christie James, NFIP Nevada State Coordinator, Nevada Division of Water Resources

Sarah Owen, Floodplanner, CFM, DHS/FEMA Region IX

Amaglio Alessandro, Environmental Officer, DHS/FEMA Region IX



Meeting Minutes

Project: Pyramid Highway/US 395 Connection

Purpose: Agency Scoping Meeting

Date Held: April 16th, 2008

Location: NDOT District II
310 Galletti Way, Sparks NV

Attendees:

RTC:	Doug Maloy
FHWA:	Abdelmoez (Del) Abdalla, Hanna Visser, Andrew Soderberg
NDOT:	Steve Cooke
BLM:	JoAnn Hufnagle
Reno Sparks Indian Colony:	Scott Nebesky
US Fish and Wildlife Service:	Marcy Haworth
CH2M HILL:	Leslie Regos
Jacobs Carter Burgess.:	Jim Clarke, David Dodson, Gina McAfee, Steve Oxoby

Copies: Attendees, File

Summary of Discussion:

1. Introductions

- Jim Clarke welcomed the group, thanked them for their attendance and for their participation.
- Jim Clarke gave a brief agenda overview.

2. Project Goals & Objectives

- Jim Clarke gave a PowerPoint presentation (See attached PowerPoint presentation).
- Questions and comments during the presentation included:
 - a. Project development timeline:
 - i. Del asked about funding allocated to the project.
 1. Doug stated that about 15 million has been allocated towards this corridor study and to the Pyramid/McCarran intersection corridor study.
 2. Funding availability for final design and construction is unknown at this time, however the project is on the fiscally constrained RTP.

3. Project Team Organization and Roles

- Jim Clarke gave a PowerPoint presentation (See attached PowerPoint presentation).
- Questions and comments during the presentation included:
 - a. Project Steering Team:

- i. Del asked who exactly makes up the Project Steering Team.
 1. The PST members have yet to be finalized, but the team will be made up from policy-level decision makers from the RTC, NDOT, FHWA, the city of Reno, the city of Sparks and Washoe County.
 2. Anticipate meeting with this team at specific milestones, approximately three or four times during the duration of the project.

4. Roles of Agencies (Participating, Cooperating)

- Gina McAfee gave a PowerPoint presentation (See attached PowerPoint presentation).
- Questions and comments during the presentation included:
 - a. Participating Agencies:
 - i. Gina handout out and explained the Coordination Plan (see handout).
 - ii. It is assumed the federal agencies will be participating and must decline in writing otherwise.
 - iii. Attendance at the TAC meetings by Participating and Cooperating Agencies would be ideal but not mandatory.
 - iv. State and local agencies must respond in writing if wishing to participate as a Participating Agency and do not need to respond if declining.
 - v. The project team has not received responses from any of the participating agencies as of yet, therefore we do not know who exactly will be participating agencies.
 - vi. Interim deliverables have a 30 day response time. The DEIS has a 60 day response/comment time.

5. Project Development Process

- Gina McAfee gave a PowerPoint presentation (See attached PowerPoint presentation).

6. Purpose and Need

- Gina McAfee gave a PowerPoint presentation (See attached PowerPoint presentation).
- Questions and comments during the presentation included:
 - a. Purpose and Need:
 - i. Del asked if the Purpose and Need was discussed or presented during the public meeting held on 4/15/08 and were comments received.
 1. The P&N was displayed on a board, included in the PowerPoint presentation, and was provided to attendees as a handout with specific questions asked about it.
 2. Comments were collected on the questionnaire/comment sheet that was provided at the meeting.
 3. Steve Cooke will provide Del with the handouts and the questionnaire that was provided at the public meeting.
 - ii. Participating agencies will be given the chance to respond formally, but informal comments should be forwarded to Doug Maloy.

- iii. Steve Cooke and Andrew Soderborg asked if the 2001 Pyramid Highway Corridor Management Plan reflects existing traffic conditions today.
 1. The effort will be made to compare the forecasts included in the 2001 CMP to what existing conditions are today.
- iv. Del asked if Purpose and Need there is a difference between P&N elements one and five.
 1. P&N item one deals with existing congestion and P&N item five deals with future “regional mobility” or access needs.
 2. The project team will reword these two items.

7. Alternative Screening Methods

- Gina McAfee gave a PowerPoint presentation (See attached PowerPoint presentation).
- Gina handout out and explained the Methodology for Screening Alternatives to be used on the project (see handout).

8. Range of Alternatives

- Gina McAfee gave a PowerPoint presentation (See attached PowerPoint presentation).
- Gina handout out and explained the Initial Range of Alternatives (See handout).
- Questions and comments during the presentation included:
 - a. Modes:
 - i. Andrew asked if pedestrian and bicycle facilities were brought up during the public meeting.
 1. There were no verbal comments received by the team regarding interest in pedestrian and bicycle facilities along the corridor.
 - b. Location of east/west connection and north/south alternative to Pyramid:
 - i. The location of the east/west connector and also that of a north/south alternative to Pyramid highway outside of the defined project area came up during the SWG meeting and also was a topic during the public meeting. Is a northern east/west connection feasible?
 1. The entire region is studied within the RTC’s RTP process and the study area for this project came out of this planning process.
 2. A northern connection would likely not serve the P&N for the majority of the study area. An additional EIS would likely be needed for this alternative.
 3. There is public involvement included within the RTC’s long range planning process.
 4. Necessary roadway improvements to US 395 up to the connection point and also the divergence between Pyramid and US 395 do not support a northern east/west connection.
 5. Del stated that the study area needs to be flexible in location at this point in the study.
 6. Hannah stated that if an alternative meets the P&N, regardless of the defined study area, that it must be addressed.
 7. RTC’s planning department is involved with the TAC and will help the project team work out this issue.

8. Steve Cooke stated that reasons for studying this alternative need to be defensible when this issue inevitably comes up again.
 - ii. Andrew asked if a connection from Pyramid Highway over to US50 to the east was discussed during the public meeting.
 1. Steve Oxoby mentioned that this alternative is shown in the RTC's 2040 RTP.
 - iii. Del asked how realistic is this project and stated that it has been expressed to him that the project is not realistic, will not be funded for construction, and its potential impacts should not be included in the RTC's long range planning efforts.
 1. Doug stated that this project is included within the RTC's long range planning.
 2. The Executive Director of the RTC and the Board of Directors do consider this a feasible project and it is included within the STIP.
 3. Funds have been allocated for the EIS effort and the RTC will be looking for funding for final design and construction throughout the project.

9. Environmental Resources of Concern

- Gina McAfee gave a PowerPoint presentation (See attached PowerPoint presentation).
- Questions and comments during the presentation included:
 - a. Fish and Wildlife
 - i. Marcy expressed concerns in regard to the Carson Wandering Skipper (direct and indirect effects, including those related to induced growth) within the following areas:
 1. Vista Blvd. around the Kylie Ranch development, just east of the project study area.
 2. Winnemucca Ranch Road on BLM land west of Pyramid Highway.
 3. Other private lands within the study area.
 - b. EPA
 - i. Although EPA could not attend the meeting, comments it provided on the Notice of Intent related to air quality, Environmental Justice, and cumulative impacts.
 - c. FEMA
 - i. Comments received regarding the Notice of Intent.
 - d. Bureau of Indian affairs:
 - i. Jim Clarke to confirm if there are any tribal lands within the study area and which designation they are. Danny noted that he had received an email about this and will forward this to Jim Clarke.
 - e. BLM:
 - i. All BLM lands are designated for recreation or open space. These lands may have some limitations if they are proposed for transportation.
 - ii. There was public concern about reserving the BLM land as open space.
 - iii. This land will need to be evaluated as to its relationship to Section 4(f)
 - iv. The EA that BLM prepared for the Wedekind Park land transfer included some language about joint development of the property for park and transportation use. This study team will discuss this issue in more detail with FHWA and others.

- f. NDOT/FHWA
 - i. NDOT and FHWA will forward any concerns received by the participating agencies to Doug or the project team.

10. What do you need from us?

11. What we need from you.

12. Next Steps

- Information gathered from Public Meeting:
 - a. Improvements to the existing pyramid corridor and the need for a connector are needed and wanted.
 - b. Interest in alternative modes:
 - i. Bus service and improvements
 - ii. Light-rail
 - c. NIMBY
 - d. Traffic along horse trails in the northern portion of the study area. Pyramid Highway is a two lane roadway in this area.
 - e. Better coordination with developers and Federal government. Concern about ever increasing development.
 - f. Potential impacts to US 395 with east/west connection.
 - g. Location of the east/west connection.
 - h. Convert McCarran into a restricted access arterial and Pyramid Highway into a freeway going north from the McCarran intersection. On and off ramps should be designed to incorporate roundabouts or loops to avoid traffic signals.



JIM GIBBONS
Governor

STATE OF NEVADA
DEPARTMENT OF WILDLIFE

1100 Valley Road
Reno, Nevada 89512
(775) 688-1500 • Fax (775) 688-1595

KENNETH E. MAYER
Director

DOUG HUNT
Deputy Director

April 24, 2008

Mr. Steve M. Cooke
Environmental Services
Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

RE: Pyramid Highway – US 395

Dear Mr. Cooke:

Thank you for the invitation to participate in the pending environmental impact statement for the Pyramid Highway and US 395 Connection. The scoping data for the proposed route and study area does not include the link between the two highways.

We have suggested that the route map file include wildlife overlays from your GIS Shop or Washoe County Planners. Once a route or alternatives are developed, our agency can provide some assistance.

If there are any questions or need of assistance, please contact my office at 423-3171 extension 227.

Sincerely,

A handwritten signature in red ink that reads "Roy Leach".

Roy Leach
Western Region Supervisor

cc. Chris Hampson

JIM GIBBONS
Governor

STATE OF NEVADA

ANDREW K. CLINGER
Director



P 5/5

DEPARTMENT OF ADMINISTRATION

209 E. Musser Street, Room 200
Carson City, Nevada 89701-4298
(775) 684-0222
Fax (775) 684-0260
<http://www.budget.state.nv.us/>

April 29, 2008

Daniel Nollsch
Nevada Department of Transportation
Environmental Services Division
1263 South Stewart Street
Carson City, NV 89712

Re: SAI NV # **E2008-415**

Reference:

Project: **Pyramid Highway / US395 Connector Project**

Dear Daniel Nollsch:

The following agencies support the above referenced document as written:

Division of State Lands

State Historic Preservation Office

This constitutes the State Clearinghouse review of this proposal as per Executive Order 12372. If you have questions, please contact me at (775) 684-0209.

Sincerely,

A handwritten signature in purple ink, appearing to read "Krista Coulter".
For Krista Coulter
Nevada State Clearinghouse

**Appendix A:
Agency Coordination**

Cooperating Agency/Participating Agency/Agency Scoping/
Technical Advisory Committee (TAC)



U.S. Department
of Transportation
**Federal Highway
Administration**

705 North Plaza St. Suite 220
Carson City, NV 89701

April 1, 2008

Nevada Division

In Reply Refer To:
HENV-NV
US395

Subject: Pyramid Highway-US 395 Connection Environmental Impact Statement
Participating Agency Invitation

Ms. Athena Brown, Superintendent
Bureau of Indian Affairs
311 East Washington Street
Carson City, NV 89701

Dear Ms. Brown:

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Washoe County Regional Transportation Commission (RTC), is initiating an environmental impact statement (EIS) for the proposed Pyramid Highway-US 395 Connection project. The purpose of the proposed project is to address regional mobility, congestion, and safety challenges faced by motorists and pedestrians that travel Pyramid Highway to Spanish Springs and Pyramid Lake. The proposed study area extends 7.7 miles along Pyramid Highway from Queen's Way north to Calle de la Plata Drive. It also includes an area extending 4.5 miles west from Vista Boulevard to US 395 near the Parr/Dandini Interchange. A map of the proposed study area is included for your review.

The proposed project is located in an area that may be of interest to the Bureau of Indian Affairs (BIA). With this letter, we extend your agency an invitation to become a participating agency with FHWA, NDOT, and RTC in the development of the EIS for the subject project. This designation does not imply that your agency supports the proposed project.

Pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the proposed project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the proposed project. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

1. Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis.
2. Participate in coordination meetings and joint field reviews as appropriate.

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3. Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

For your review, we have included a copy of the coordination plan developed for this project. The coordination plan details the elements and expectations discussed in this letter, and lists the other agencies who have been invited to participate in this process.

Please respond to me in writing with an acceptance or denial of the invitation to be a participating agency by May 1, 2008. If the BIA declines to participate, your response should state your reason for declining the invitation. Pursuant to SAFETEA-LU Section 6002, any Federal Agency that chooses to decline the invitation must specifically state that your agency:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

By this letter, FHWA requests that you review the enclosed material and advise us with your comments on potential environmental impacts. In addition, we invite you to attend the agency scoping meeting and Technical Advisory Committee (TAC) meetings as described below.

Agency scoping meeting:

You are invited to attend an agency scoping meeting on **April 16th, 2008 from 9:00 a.m. to 11:00 a.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431** (see enclosed map).

If you are unable to attend the agency scoping meeting, please note that a public information meeting will be held on **April 15, 2008 from 4:00 p.m. to 7:00 p.m. at the Lazy 5 Community Center, 7100 Pyramid Highway, Sparks, Nevada.**


TAC meeting:

Participation on the TAC will enable you to receive periodic project updates and work collaboratively with local, state, and federal stakeholders toward a successful project. The TAC is scheduled to meet on the 3rd Thursday of every other month. The TAC meeting in June is scheduled for **June 19, 2008 from 1:30 p.m. to 3:30 p.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431.**

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact me at (775) 687-1231.

Thank you for your cooperation and interest in this proposed project.

Sincerely,



for Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures

cc: Steve Cooke, NDOT
Doug Maloy, RTC



U.S. Department
of Transportation
**Federal Highway
Administration**

705 North Plaza St. Suite 220
Carson City, NV 89701

April 1, 2008

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Pyramid Highway-US 395 Connection Environmental Impact Statement
Cooperating and Participating Agency Invitation

US395

Don Hicks, Field Manager
Bureau of Land Management
Carson City Field Office
5665 Morgan Mill Road
Carson City, NV 89701

Dear Mr. Hicks:

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Washoe County Regional Transportation Commission (RTC), is initiating an environmental impact statement (EIS) for the proposed Pyramid Highway-US 395 Connection project. The purpose of the proposed project is to address regional mobility, congestion, and safety challenges faced by motorists and pedestrians that travel Pyramid Highway to Spanish Springs and Pyramid Lake. The proposed study area extends 7.7 miles along Pyramid Highway from Queen's Way north to Calle de la Plata Drive. It also includes an area extending 4.5 miles west from Vista Boulevard to US 395 near the Parr/Dandini Interchange. A map of the proposed study area is included for your review.

The Bureau of Land Management (BLM) has been identified as an agency that has an interest in the project because a portion of the proposed project is located on public land managed by the BLM. FHWA requests the participation of the BLM as a cooperating agency in the preparation of the DEIS and FEIS, in accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act (NEPA). As a cooperating agency, BLM would participate in public and interagency meetings and make existing baseline information available, as appropriate, during the scoping process. Per the BLM, FHWA, and NDOT Memorandum of Understanding and Operating Manual concerning Operating Procedures for Processing Federal-aid Highway Rights of Way from BLM (November 26, 2007), the BLM would use the final environmental decision document as a basis for future actions and interests in public lands.

Pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), we also extend to the BLM an invitation to become a participating agency with FHWA, NDOT, and RTC in the development of the EIS for the subject project. Participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the proposed project's potential environmental or socioeconomic impacts that

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could substantially delay or prevent an agency from granting a permit or other approval that is needed for the proposed project. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

1. Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis.
2. Participate in coordination meetings and joint field reviews as appropriate.
3. Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

For your review, we have included a copy of the coordination plan developed for this project. The coordination plan details the elements and expectations discussed in this letter, and lists the other agencies who have been invited to participate in this process.

Please respond to me in writing with an acceptance or denial of the invitation to be a cooperating and a participating agency by May 1, 2008. If the BLM declines to participate, your response should state your reason for declining the invitation. Pursuant to SAFETEA-LU Section 6002, any Federal Agency that chooses to decline the invitation must specifically state that your agency:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

By this letter, FHWA requests that you review the enclosed material and advise us with your comments on potential environmental impacts. In addition, we invite you to attend the agency scoping meeting and Technical Advisory Committee (TAC) meetings as described below.

Agency scoping meeting:

You are invited to attend an agency scoping meeting on **April 16th, 2008 from 9:00 a.m. to 11:00 a.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431** (see enclosed map).

If you are unable to attend this meeting, please note that a public information meeting will be held on **April 15, 2008 from 4:00 p.m. to 7:00 p.m. at the Lazy 5 Community Center, 7100 Pyramid Highway, Sparks, Nevada.**

TAC meetings:


Participation on the TAC will enable you to receive periodic project updates and work collaboratively with local, state, and federal stakeholders toward a successful project. The TAC is scheduled to meet on the 3rd Thursday of every other month. The TAC meeting in June is scheduled for **June 19, 2008 from 1:30 p.m. to 3:30 p.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431.**

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact me at (775) 687-1231.

Thank you for your cooperation and interest in this proposed project.

Sincerely,



 Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures

cc: Steve Cooke (NDOT)
Doug Maloy (RTC)



U.S. Department
of Transportation
Federal Highway
Administration

705 North Plaza St. Suite 220
Carson City, NV 89701

April 1, 2008

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Pyramid Highway-US 395 Connection Environmental Impact Statement
Participating Agency Invitation

Ms. Carolyn Mulvihill
Environmental Review Office
U.S. Environmental Protection Agency
Region 9
75 Hawthorne St CED-2
San Francisco, CA 94105

Dear Ms. Mulvihill:

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Washoe County Regional Transportation Commission (RTC), is initiating an environmental impact statement (EIS) for the proposed Pyramid Highway-US 395 Connection project. The purpose of the proposed project is to address regional mobility, congestion, and safety challenges faced by motorists and pedestrians that travel Pyramid Highway to Spanish Springs and Pyramid Lake. The proposed study area extends 7.7 miles along Pyramid Highway from Queen's Way north to Calle de la Plata Drive. It also includes an area extending 4.5 miles west from Vista Boulevard to US 395 near the Parr/Dandini Interchange. A map of the proposed study area is included for your review.

The U.S. Environmental Protection Agency (EPA) has been identified as an agency that may have an interest in the proposed project because of its jurisdictional responsibilities and special expertise that may be applied to this project. With this letter, we extend your agency an invitation to become a participating agency with FHWA, NDOT, and RTC in the development of the EIS for the subject project. This designation does not imply that your agency supports the proposed project.

Pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the proposed project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the proposed project. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

1. Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis.

**AMERICAN
ECONOMY**

2. Participate in coordination meetings and joint field reviews as appropriate.
3. Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

For your review, we have included a copy of the coordination plan developed for this project. The coordination plan details the elements and expectations discussed in this letter, and lists the other agencies who have been invited to participate in this process.

Please respond to me in writing with an acceptance or denial of the invitation to be a participating agency by May 1, 2008. If the EPA declines to participate, your response should state your reason for declining the invitation. Pursuant to SAFETEA-LU Section 6002, any Federal Agency that chooses to decline the invitation must specifically state that your agency:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

By this letter, FHWA requests that you review the enclosed material and advise us with your comments on potential environmental impacts. In addition, we invite you to attend the agency scoping meeting and Technical Advisory Committee (TAC) meetings as described below.

Agency scoping meeting:

You are invited to attend an agency scoping meeting on **April 16th, 2008 from 9:00 a.m. to 11:00 a.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431** (see enclosed map).

If you are unable to attend the agency scoping meeting, please note that a public information meeting will be held on **April 15, 2008 from 4:00 p.m. to 7:00 p.m. at the Lazy 5 Community Center, 7100 Pyramid Highway, Sparks, Nevada.**

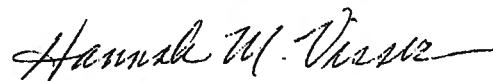
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Participation on the TAC will enable you to receive periodic project updates and work collaboratively with local, state, and federal stakeholders toward a successful project. The TAC is scheduled to meet on the 3rd Thursday of every other month. The TAC meeting in June is scheduled for **June 19, 2008 from 1:30 p.m. to 3:30 p.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431.**

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact me at (775) 687-1231.

Thank you for your cooperation and interest in this proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read "Hannak M. Vazir".

 Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures

cc: Steve Cooke, NDOT
Doug Maloy, RTC



U.S. Department
of Transportation
**Federal Highway
Administration**

705 North Plaza St. Suite 220
Carson City, NV 89701

April 1, 2008

Nevada Division

In Reply Refer To:
HENV-NV
US395

Subject: Pyramid Highway–US 395 Connection Environmental Impact Statement
Participating Agency Invitation

Mr. Sandro Amaglio, Region IX Environmental Officer
Federal Emergency Management Agency
1111 Broadway, Suite 1200
Oakland, CA 94607

Dear Mr Amaglio:

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Washoe County Regional Transportation Commission (RTC), is initiating an environmental impact statement (EIS) for the proposed Pyramid Highway–US 395 Connection project. The purpose of the proposed project is to address regional mobility, congestion, and safety challenges faced by motorists and pedestrians that travel Pyramid Highway to Spanish Springs and Pyramid Lake. The proposed study area extends 7.7 miles along Pyramid Highway from Queen's Way north to Calle de la Plata Drive. It also includes an area extending 4.5 miles west from Vista Boulevard to US 395 near the Parr/Dandini Interchange. A map of the proposed study area is included for your review.

The Federal Emergency Management Agency has been identified as an agency that may have an interest in the proposed project because of its jurisdictional responsibilities and special expertise that may be applied to this project. With this letter, we extend your agency an invitation to become a participating agency with FHWA, NDOT, and RTC in the development of the EIS for the subject project. This designation does not imply that your agency supports the proposed project.

Pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the proposed project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the proposed project. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

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**AMERICAN
ECONOMY**

2. Participate in coordination meetings and joint field reviews as appropriate.
3. Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

For your review, we have included a copy of the coordination plan developed for this project. The coordination plan details the elements and expectations discussed in this letter, and lists the other agencies who have been invited to participate in this process.

Please respond to me in writing with an acceptance or denial of the invitation to be a participating agency by May 1, 2008. If the Federal Emergency Management Agency declines to participate, your response should state your reason for declining the invitation. Pursuant to SAFETEA-LU Section 6002, any Federal Agency that chooses to decline the invitation must specifically state that your agency:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

By this letter, FHWA requests that you review the enclosed material and advise us with your comments on potential environmental impacts. In addition, we invite you to attend the agency scoping meeting and Technical Advisory Committee (TAC) meetings as described below.

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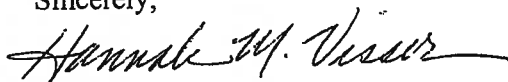
TAC meeting:

Participation on the TAC will enable you to receive periodic project updates and work collaboratively with local, state, and federal stakeholders toward a successful project. The TAC is scheduled to meet on the 3rd Thursday of every other month. The TAC meeting in June is scheduled for **June 19, 2008 from 1:30 p.m. to 3:30 p.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431.**

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact me at (775) 687-1231.

Thank you for your cooperation and interest in this proposed project.

Sincerely,


for Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures

cc: Steve Cooke, NDOT
Doug Maloy, RTC



U.S. Department
of Transportation
**Federal Highway
Administration**

705 North Plaza St. Suite 220
Carson City, NV 89701

April 1, 2008

Nevada Division

In Reply Refer To:

HENV-NV

Subject: Pyramid Highway-US 395 Connection Environmental Impact Statement
Participating Agency Invitation

US395

Ms. Jody Brown, Deputy Field Supervisor
Fish and Wildlife Service
Nevada Fish and Wildlife Office
1340 Financial Blvd., #234
Reno, NV 89502

Dear Ms Brown:

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Washoe County Regional Transportation Commission (RTC), is initiating an environmental impact statement (EIS) for the proposed Pyramid Highway-US 395 Connection project. The purpose of the proposed project is to address regional mobility, congestion, and safety challenges faced by motorists and pedestrians that travel Pyramid Highway to Spanish Springs and Pyramid Lake. The proposed study area extends 7.7 miles along Pyramid Highway from Queen's Way north to Calle de la Plata Drive. It also includes an area extending 4.5 miles west from Vista Boulevard to US 395 near the Parr/Dandini Interchange. A map of the proposed study area is included for your review.

The U.S. Fish and Wildlife Service (USFWS) has been identified as an agency that may have an interest in the proposed project because of its jurisdictional responsibilities and special expertise that may be applied to this project. With this letter, we extend your agency an invitation to become a participating agency with FHWA, NDOT, and RTC in the development of the EIS for the subject project. This designation does not imply that your agency supports the proposed project.

Pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the proposed project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the proposed project. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

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**AMERICAN
ECONOMY**

2. Participate in coordination meetings and joint field reviews as appropriate.
3. Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

For your review, we have included a copy of the coordination plan developed for this project. The coordination plan details the elements and expectations discussed in this letter, and lists the other agencies who have been invited to participate in this process.

Please respond to me in writing with an acceptance or denial of the invitation to be a participating agency by May 1, 2008. If the USFWS declines to participate, your response should state your reason for declining the invitation. Pursuant to SAFETEA-LU Section 6002, any Federal Agency that chooses to decline the invitation must specifically state that your agency:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

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If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact me at (775) 687-1231.

Thank you for your cooperation and interest in this proposed project.

Sincerely,



 Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures

cc: Steve Cooke, NDOT
Doug Maloy, RTC



U.S. Department
of Transportation
**Federal Highway
Administration**

705 North Plaza St. Suite 220
Carson City, NV 89701

April 1, 2008

Nevada Division

In Reply Refer To:

HENV-NV

Subject: Pyramid Highway–US 395 Connection Environmental Impact Statement
Participating Agency Invitation

US395

Mr. Kevin Roukey, Chief
U.S. Army Corps of Engineers
Reno Regulatory Field Office
300 Booth Street, Room 2103
Reno, NV 89509

Dear Mr. Roukey:

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Washoe County Regional Transportation Commission (RTC), is initiating an environmental impact statement (EIS) for the proposed Pyramid Highway–US 395 Connection project. The purpose of the proposed project is to address regional mobility, congestion, and safety challenges faced by motorists and pedestrians that travel Pyramid Highway to Spanish Springs and Pyramid Lake. The proposed study area extends 7.7 miles along Pyramid Highway from Queen's Way north to Calle de la Plata Drive. It also includes an area extending 4.5 miles west from Vista Boulevard to US 395 near the Parr/Dandini Interchange. A map of the proposed study area is included for your review.

The U.S. Army Corps of Engineers (USACE) has been identified as an agency that may have an interest in the proposed project because of its jurisdictional responsibilities and special expertise that may be applied to this project. With this letter, we extend your agency an invitation to become a participating agency with FHWA, NDOT, and RTC in the development of the EIS for the subject project. This designation does not imply that your agency supports the proposed project.

Pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the proposed project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the proposed project. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

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2. Participate in coordination meetings and joint field reviews as appropriate.
3. Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

For your review, we have included a copy of the coordination plan developed for this project. The coordination plan details the elements and expectations discussed in this letter, and lists the other agencies who have been invited to participate in this process.

Please respond to me in writing with an acceptance or denial of the invitation to be a participating agency by May 1, 2008. If the USACE declines to participate, your response should state your reason for declining the invitation. Pursuant to SAFETEA-LU Section 6002, any Federal Agency that chooses to decline the invitation must specifically state that your agency:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

By this letter, FHWA requests that you review the enclosed material and advise us with your comments on potential environmental impacts. In addition, we invite you to attend the agency scoping meeting and Technical Advisory Committee (TAC) meetings as described below.

Agency scoping meeting:

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If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact me at (775) 687-1231.

Thank you for your cooperation and interest in this proposed project.

Sincerely,

Abdelmoez A. Abdalla
Environmental Program Manager



JIM GIBBONS
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

SUSAN MARTINOVICH, P.E., *Director*

In Reply Refer to:

Pyramid Highway-US 395 Connection
Environmental Impact Statement
Participating Agency Invitation

April 4, 2008

Kenneth E. Mayer
Director
Nevada Department of Wildlife
1100 Valley Road
Reno, NV 89512

Dear Mr. Mayer:

The Nevada Department of Transportation (NDOT), in cooperation with the Federal Highway Administration (FHWA) and the Washoe County Regional Transportation Commission (RTC), is initiating an environmental impact statement (EIS) for the proposed Pyramid Highway-US 395 Connection project. The purpose of the proposed project is to address regional mobility, congestion, and safety challenges faced by motorists and pedestrians that travel Pyramid Highway to Spanish Springs and Pyramid Lake. The proposed study area extends 7.7 miles along Pyramid Highway from Queen's Way north to Calle de la Plata Drive. It also includes an area extending 4.5 miles west from Vista Boulevard to US 395 near the Parr/Dandini Interchange. A map of the proposed study area is included for your review.

The Department of Conservation and Natural Resources has been identified as an agency that may have an interest in the proposed project. With that in mind, we are extending this invitation to your agency to become a participating agency with FHWA, NDOT, and RTC in the development of the EIS for the subject project. This designation does not imply that your agency supports the proposed project.

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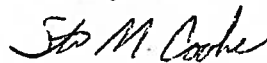
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Thank you for your cooperation and interest in this proposed project.

Sincerely,



Steve M. Cooke, P.E.
Chief, Environmental Services Division

Enclosures

cc: Abdelmoez A. Abdalla, Environmental Program Manager (FHWA)
Doug Maloy, Project Manager (RTC)



JIM GIBBONS
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

SUSAN MARTINOVICH, P.E., *Director*

In Reply Refer to:

Pyramid Highway-US 395 Connection
Environmental Impact Statement
Participating Agency Invitation

April 4, 2008

Ronald James
State Historic Preservation Officer
Nevada State Historic Preservation Office
1000 North Stewart Street
Carson City, NV 89701

Dear Mr. James:

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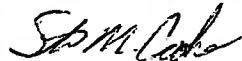
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Sincerely,



Steve M. Cooke, P.E.

Chief, Environmental Services Division

Enclosures

cc: Abdelmoez A. Abdalla, Environmental Program Manager (FHWA)
Doug Maloy, Project Manager (RTC)



JIM GIBBONS
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

SUSAN MARTINOVICH, P.E., *Director*

In Reply Refer to:
Pyramid Highway-US 395 Connection
Environmental Impact Statement
Participating Agency Invitation

April 4, 2008

Mr. Allen Biaggi
Director
Department of Conservation and Natural Resources
901 South Stewart Street, Suite 5001
Carson City, NV 89701

Dear Mr. Biaggi:

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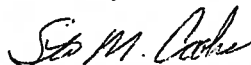
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Steve M. Cooke, P.E.
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JIM GIBBONS
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
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SUSAN MARTINOVICH, P.E., *Director*

In Reply Refer to:

Pyramid Highway–US 395 Connection
Environmental Impact Statement
Participating Agency Invitation

April 4, 2008

Bob Cashell
Mayor
City of Reno
P.O. Box 1900
Reno, NV 89505

Dear Mayor Cashell:

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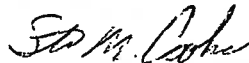
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Steve M. Cooke, P.E.
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Enclosures

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STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

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JIM GIBBONS
Governor

SUSAN MARTINOVICH, P.E., *Director*

In Reply Refer to:

Pyramid Highway–US 395 Connection
Environmental Impact Statement
Participating Agency Invitation

April 4, 2008

Robert Larkin, Chair
Washoe County Commission
1001 E. 9th Street
Reno, NV 89512

Dear Mr. Larkin:

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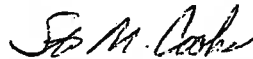
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Steve M. Cooke, P.E.

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Enclosures

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JIM GIBBONS
Governor

STATE OF NEVADA
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Carson City, Nevada 89712

SUSAN MARTINOVICH, P.E., *Director*

In Reply Refer to:

Pyramid Highway-US 395 Connection
Environmental Impact Statement
Participating Agency Invitation

April 4, 2008

Geno Martini, Mayor
City of Sparks
431 Prater Way
P.O. Box 857
Sparks, NV 89432

Dear Mayor Martini:

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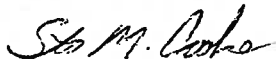
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Chief, Environmental Services Division

Enclosures

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Doug Maloy, Project Manager (RTC)

APR 9 2008



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Carson City Office
5665 Morgan Mill Rd.
Carson City, Nevada 89701-1448
<http://www.nv.blm.gov/Carson>



APR - 8 2008

In Reply Refer to:
2800 NV-030

Federal Highway Administration
Attn: Mr. Abdelmoez A. Abdalla
705 North Plaza St., Suite 220
Carson City, NV 89701

Dear Mr. Abdalla,

The Bureau of Land Management (BLM), Carson City Field Office has received your letter requesting BLM participation as a cooperating agency in preparation of an environmental impact statement (EIS) for the proposed Pyramid Highway – U.S. 395 Connection Project. As per your map, BLM has management responsibilities for public land within the study area and this office accepts the opportunity to participate in the EIS process. Representatives from this office will attend the agency scoping meeting on April 16, 2008 in Sparks.

The contact personnel for this project are JoAnn Hufnagle (Supervisory Realty Specialist) at 885-6144 or Terri Knutson (Planning & Environmental Coordinator) at 885-6156.

Sincerely,

Donald T. Hicks
Manager,
Carson City Field Office

Noriega, Yesenia M.

From: Clarke, Jim O.
Sent: Wednesday, September 17, 2008 1:33 PM
To: Noriega, Yesenia M.
Subject: FW: Pyramid Hwy Interconnector & RSIC
Follow Up Flag: Follow up
Flag Status: Green

From: Visser, Hannah [mailto:Hannah.Visser@fhwa.dot.gov]
Sent: Tuesday, July 29, 2008 4:44 PM
To: Clarke, Jim O.
Subject: FW: Pyramid Hwy Interconnector & RSIC

Response from RSIC

Hannah Visser
 Environmental / Planning Specialist
 Federal Highway Administration - Nevada Division Office
 705 North Plaza Street, Suite 220, Carson City, NV 89701
 (775) 687-5322 - Phone
 (775) 687-3803 - Fax
hannah.visser@fhwa.dot.gov

From: Abdalla, Abdelmoez
Sent: Monday, April 14, 2008 6:00 PM
To: 'Scott Nebesky'; Gilbert-Young, Sabra E
Cc: Nollisch, Michael (Daniel); 'Caviola, James'; scooke@dot.state.nv.us; Bennett, Rebecca (NV); Visser, Hannah
Subject: RE: Pyramid Hwy Interconnector & RSIC

Scott,

Thanks for accepting our invitation to become a participating agency with this project. FHWA is looking forward to your assistance with different aspects of this project.

Del

Abdelmoez A. Abdalla, Ph.D.
 Environmental Program Manager
 Federal Highway Administration-Nevada Division
 Telephone: (775) 687-1231
 Fax: (775) 687-3803
 E-mail: abdelmoez.abdalla@fhwa.dot.gov

From: Scott Nebesky [mailto:snebesky@rsic.org]
Sent: Monday, April 14, 2008 2:10 PM
To: Gilbert-Young, Sabra E; Abdalla, Abdelmoez
Cc: Nollisch, Michael (Daniel)
Subject: RE: Pyramid Hwy Interconnector & RSIC

Thank you for summarizing our discussion this morning. The Colony will participate in as many meeting as necessary and certainly appreciates the early notice and invitation. In fact, I attended the Stakeholders Working Group on April 7th.

9/24/2008

In response to your letter dated April 1, 2008, please accept this email as notice of the Colony's interest to become a participating agency.

Scott A. Nebesky, AICP

Planning Director
Reno-Sparks Indian Colony
1937 Prosperity St
Reno NV 89502
Office 775.785.1363
Cell: 775.221.1585
Fax 775.789.5652
Email snebesky@rsic.org

-----Original Message-----

From: Gilbert-Young, Sabra E [<mailto:SGilbert-Young@dot.state.nv.us>]

Sent: Monday, April 14, 2008 12:24 PM

To: Abdalla, Abdelmoez

Cc: Scott Nebesky; Nollisch, Michael (Daniel)

Subject: Pyramid Hwy Interconnector & RSIC

Hi Del,

I just got off of the phone with Scott Nebesky at the Reno-Sparks Indian Colony regarding the Pyramid Interconnector project. This conversation was in response to my request for information about if there was any tribal land involved (per your phone call from BIA last week). I am cc'ing Scott this email for his information.

Scott said that the project itself wasn't touching the Hungry Valley portion of RSIC. But that RSIC has a 24 acre economic development parcel on the corner of Eagle Canyon Dr. and Pyramid Hwy (SW corner, except the 7-11 store). It is a long linear parcel fronting Pyramid Hwy that currently is zoned for general commercial and has several access points. Scott's immediate concerns are that:

- All but one access point would be eliminated by this project (severely hampering the economic viability of the parcel)
- Possible right of way would be needed by this project for an off ramp (potential killing the economic viability of the parcel)

Scott asked if there was an opportunity to swap this parcel for other federally owned land.

Scott stated verbally that RSIC wants to become a participating agency for the EIS/project. He intends to provide the written statement to you via email. Please note that Scott is extremely busy individual and is a bit concerned about the time commitment that the meeting schedule for this project requires (SWG, TAC, etc.). Is there a way that he could get all of the meeting dates well in advance so he has time to adjust his schedule?

Should you have any other questions I should be in the office for the remainder of today, Thursday, and Friday. (I'll be in all day meetings on Tuesday and Wednesday).

Sabra E. Gilbert-Young, RPA
Native American Consultation Coordinator
Environmental Services Division
Nevada Department of Transportation
1263 S. Stewart Street
Carson City, NV 89712

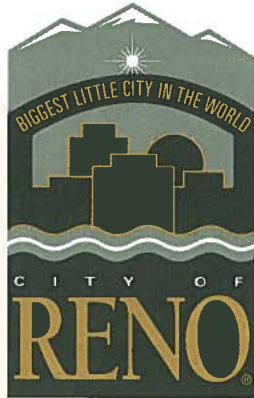
9/24/2008

Phone: 775.888.7483
Fax: 775.888.7104

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John B. Hester, AICP
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775.334.2435
hesterj@CityofReno.com

John Toth, PE
Assistant Community Development
Director
775.326.6311
tothj@CityofReno.com



Division Managers

Claudia Hanson, AICP
Deputy Community Development Director - Planning
Kyle West, PE, Deputy Community Development
Director - Land Development Engineering
Don Rosenthal, CBO
Building and Safety Manager
Alex Woodley
Code Enforcement Manager

April 18, 2008

Steve M. Cooke, P.E.
Chief, Environmental Services Division
Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

Environmental Impact Statement

Dear Mr. Cooke:

The City of Reno is excited that the Nevada Department of Transportation is initiating an environmental impact statement (EIS) for the proposed improvement project on Pyramid Highway, which may include a connector between US 395 and the Pyramid Highway. Please accept this letter as Reno's request to be designated as a participating agency in the development of the EIS for this project. As a participating agency, Reno will be able fulfill the roles outlined in your April 4, 2008 letter to Mayor Bob Cashell of Reno.

The City looks forward to participating in the improvement and development of transportation facilities in this critical area of the Truckee Meadows. Please contact me at 326-6311 if you have any questions.

Best regards,

A handwritten signature in black ink, appearing to read "John Toth", is written over the typed name and title.

John Toth, P.E.
Assistant Director

cc:

John Hester
Auro Majumdar, Public Works
Doug Maloy, RTC



WASHOE COUNTY

Department of Public Works

"Dedicated to Excellence in Public Service"

Dan St. John, Public Works Director

1001 East 9th Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

RECEIVED

APR 18 2008

Regional Transportation
Engineering Department

April 18, 2008

Doug Maloy, P.E.
Regional Transportation Commission
1105 Terminal Way Suite 108
Reno, NV 89502

Subject: Pyramid Highway – US 395 Connection

Dear Mr. Maloy, P.E.:

Washoe County accepts the invitation to be a Participating Agency.

Sincerely,

DAVID T. PRICE, P.E., COUNTY ENGINEER

A handwritten signature in cursive script that reads "Clara Lawson".

Clara Lawson, P.E., Licensed Engineer



April 21, 2008

Mr. Steven M. Cooke, P.E., Chief
Environmental Services Division
1263 S. Stewart Street
Carson City, NV 89712

Re: Pyramid Highway – US 395 Connection Environmental Impact Statement Technical
Advisory Committee

Dear Mr. Cooke:

Thank you for the invitation to participate in the environmental process for the Pyramid Highway – US 395 Connection project. The City of Sparks is excited to actively participate throughout the process and its Technical Advisory Committee.

Please contact me at (775) 353-2304 with any questions.

Sincerely,

Neil C. Krutz, P.E.
Community Development Director

cc: Mr. Doug Maloy, P.E., RTC Project Manager

Building
tel 775.353.2306
fax 775.353.2413

Community
Development
tel 775.353.2340
fax 775.353.1608

Engineering
tel 775.353.2371
fax 775.353.7874

APR 28 2008



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Nevada Fish and Wildlife Office

1340 Financial Blvd., Suite 234

Reno, Nevada 89502

Ph: (775) 861-6300 ~ Fax: (775) 861-6301



April 25, 2008

File No. 2008-FA-0121

Pyramid Highway-

U.S. 395 Connection

Mr. Abdelmoez A. Abdalla
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

Dear Mr. Abdalla:

This is in response to your invitation to the U.S. Fish and Wildlife Service (Service) to become a participating agency in the development of an Environmental Impact Statement (EIS) for the proposed Pyramid Highway-U.S. 395 Connection project. This project will involve improvements to Pyramid Highway from Queen's Way north to Calle de la Plata Drive, a distance of approximately 8 miles. It also involves providing a connection from Vista Boulevard to U.S. 395 at the Parr/Dandini Interchange. While we appreciate your invitation to participate under Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, we are unable to accept at this time due to limited resources and other higher priority, court-ordered actions.

We would like to take this opportunity to reiterate Service comments provided at the April 16, 2008, meeting held at the Nevada Department of Transportation's District 2 Office in Reno. We understand that this project is in the early stages of the planning process and that the current study area boundary may change as the range of alternatives is further developed. As indicated at the meeting, we are concerned about potential impacts to the Carson wandering skipper (CWS) (*Pseudocopaeodes eunus obscurus*), an endangered species found at two sites in Spanish Springs and Warm Springs Valleys. These sites occur on private and federally-administered lands. These sites are relatively small in size and any direct and indirect impacts will be dependent upon alternative routes proposed.

Though we are unable to formally engage in this process as a participating agency, we do not relinquish our responsibilities for federally-listed threatened and endangered species under section 7 of the Endangered Species Act of 1973, as amended. We also may provide comments on the draft EIS as appropriate in the future.

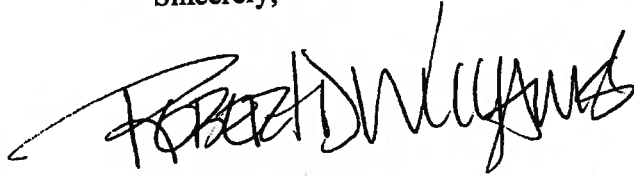
TAKE PRIDE
IN AMERICA

Mr. Abdelmoez A. Abdalla

File No. 2008-FA-0121
Pyramid Highway-U.S. 395 Connection

We look forward to further discussions related to the Pyramid Highway-U.S. 395 Connection project. If you have any questions, please contact me or Marcy Haworth at (775) 861-6300.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert D. Williams". The signature is stylized with a large, sweeping initial "R" and a long, horizontal stroke extending to the right.

Robert D. Williams
Field Supervisor

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY****REGION IX****75 Hawthorne Street****San Francisco, CA 94105-3901**

April 30, 2008

Abdelmoez A. Abdalla
Environmental Program Manager
Federal Highway Administration
705 N. Plaza, Suite 220
Carson City, NV 89701

Subject: Response to Participating Agency Request for the Proposed Improvements to Pyramid Way and the Proposal for a New Corridor from Vista Boulevard to US-395, Washoe County, Nevada

Dear Mr. Abdalla:

We are writing in response to your April 1, 2008 letter (HENV-NV US395) inviting the U.S. Environmental Protection Agency (EPA) to become a Participating Agency for the Proposed Improvements to Pyramid Way and the Proposal for a New Corridor from Vista Boulevard to US-395, Washoe County, Nevada. The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Washoe County Regional Transportation Commission (RTC) will prepare a Draft Environmental Impact Statement (DEIS) for the project under the National Environmental Policy Act. On March 31, 2008, EPA provided scoping comments for this project in response to the Federal Register Notice published on February 29, 2008.

EPA accepts FHWA's invitation to become a "Participating Agency" as defined in Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). We look forward to working with FHWA to ensure that the SAFETEA-LU implementation procedures assist both our agencies in meeting our statutory missions.

Section 6002 requires that the lead agency provide an opportunity for involvement by participating agencies in defining the Purpose and Need and in determining the Range of Alternatives for a project as early as practicable during the environmental review process. Specifically, the involvement of participating agencies early during the development of Purpose and Need should inform the scope and development of project alternatives. EPA recommends that FHWA request participating agency feedback on the Purpose and Need before extensive effort is expended on developing a Range of Alternatives so that agency input can help shape

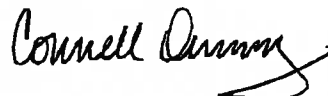
alternative development. EPA is also available to assist in the determination of the methodologies to be used and could provide input to FHWA on the level of detail required for the technical studies to inform the development of the DEIS.

This project may meet the criteria for coordination under the *National Environmental Policy Act and Clean Water Action Section 404 Integration Process for Surface Transportation Projects Memorandum of Understanding* (NEPA/404 MOU). The NEPA/404 MOU includes specific concurrence points to assist in developing the DEIS and involves active participation in meetings and document reviews. It applies to transportation projects that have five or more acres of permanent impacts to waters of the United States and require EIS preparation. We encourage FHWA to contact the NEPA/404 signatory agencies once more information about the potential impact to waters of the United States is available in order to initiate coordination under the NEPA/404 MOU, if applicable, and coordinate with the Section 6002 process.

The Coordination Plan for this project includes an anticipated schedule which notes that certain milestone reviews, such as Purpose and Need and Range of Alternatives will be met at scoping or other meetings. Since EPA's involvement in meetings may be limited due to resource constraints, we request that project documents needing interagency review and comment be submitted to us with a 30-day review period.

We appreciate FHWA's interest in working with EPA and look forward to participating in the project's DEIS development. EPA's participation as a Participating Agency does not constitute formal or informal approval of any part of this project under any statute administered by EPA, nor does it limit in any way EPA's independent review of the Draft and Final EISs pursuant to Section 309 of the Clean Air Act. Please contact Carolyn Mulvihill (415-947-3554 or mulvihill.carolyn@epa.gov) for further coordination on this project.

Sincerely,


for Nova Blazej, Manager
Environmental Review Office

cc: Steve Cooke, NDOT
Doug Maloy, RTC
Steve Roberts, U.S. Army Corps of Engineers



REGIONAL TRANSPORTATION COMMISSION

Public Transportation • Streets and Highway • Planning

August 28, 2008

Mr. Shaun Carey
Sparks City Manager
c/o Jon Ericson
City of Sparks Public Works
P.O. Box 857
Sparks, NV 89432

**Subject: Pyramid Highway--US 395 Connection Environmental Impact Statement
Participating Agency Review of Purpose and Need Statement, Alternatives
Screening, and Range of Alternatives**

Dear Mr. Ericson:

On April 1, 2008, the Nevada Department of Transportation (NDOT) sent you a letter inviting you to serve as a participating agency on the Pyramid Highway--US 395 Connection Environmental Impact Statement (EIS). NDOT received your letter dated April 25, 2008 agreeing to serve as a participating agency on the project. As you may know, the Washoe County Regional Transportation Commission (RTC) serves as a co-lead agency with NDOT on the EIS.

Pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies have an opportunity for involvement in specific milestone reviews. This letter includes three milestone review items (see attached): Purpose and Need Statement, Alternative Screening Methods, and Range of Alternatives. Please provide any comments on these items by September 29, 2008. Please note the Range of Alternatives would be revisited as necessary based on any revisions to the Purpose and Need Statement due to participating agency comments.

Page 2 of our April 1, 2008 letter indicated that your agency's role in the development of the above project should include providing "timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency. . ." Since the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users did not amend federal policy regarding agency review of pre-draft environmental documents, this statement was incorrect. As always, your review of the Draft and Final EISs will be encouraged.

As a reminder, a project TAC meeting is scheduled for **September 18, 2008, from 1:30 p.m. to 3:30 p.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431.**

Pyramid Highway–US 395 Connection EIS
Participating Agency Review of Purpose and Need Statement, Alternatives Screening, and Range of Alternatives

Mr. Shaun Carey
c/o Jon Ericson
August 28, 2008
Page 2 of 2

If you have any questions, please contact me at (775) 335-1865. Thank you for your cooperation and interest in this proposed project.

Sincerely,

Doug Maloy, P.E.
Project Manager

Enclosures

cc: Abdelmoez A. Abdalla, Environmental Program Manager (FHWA)
Steve M. Cooke, P.E. Chief, Environmental Services Division (RTC)
Jim Clarke, Pyramid Team
File



REGIONAL TRANSPORTATION COMMISSION

Public Transportation • Streets and Highway • Planning

August 28, 2008

Ms. Katy Singlaub
Washoe County Manager
c/o Sandra Monsalve
Washoe County Planning
1001 E Ninth Street, Bldg. A
Reno, NV 89520

**Subject: Pyramid Highway–US 395 Connection Environmental Impact Statement
Participating Agency Review of Purpose and Need Statement, Alternatives
Screening, and Range of Alternatives**

Dear Ms. Monsalve:

On April 1, 2008, the Nevada Department of Transportation (NDOT) sent you a letter inviting you to serve as a participating agency on the Pyramid Highway–US 395 Connection Environmental Impact Statement (EIS). NDOT received your letter dated April 25, 2008 agreeing to serve as a participating agency on the project. As you may know, the Washoe County Regional Transportation Commission (RTC) serves as a co-lead agency with NDOT on the EIS.

Pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies have an opportunity for involvement in specific milestone reviews. This letter includes three milestone review items (see attached): Purpose and Need Statement, Alternative Screening Methods, and Range of Alternatives. Please provide any comments on these items by September 29, 2008. Please note the Range of Alternatives would be revisited as necessary based on any revisions to the Purpose and Need Statement due to participating agency comments.

Page 2 of our April 1, 2008 letter indicated that your agency's role in the development of the above project should include providing “timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency. . .” Since the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users did not amend federal policy regarding agency review of pre-draft environmental documents, this statement was incorrect. As always, your review of the Draft and Final EISs will be encouraged.

As a reminder, a project TAC meeting is scheduled for **September 18, 2008, from 1:30 p.m. to 3:30 p.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431.**

Pyramid Highway–US 395 Connection EIS
Participating Agency Review of Purpose and Need Statement, Alternatives Screening, and Range of Alternatives

Ms. Katy Singlaub
c/o Sandra Monsalve
August 28, 2008
Page 2 of 2

If you have any questions, please contact me at (775) 335-1865. Thank you for your cooperation and interest in this proposed project.

Sincerely,

Doug Maloy, P.E.
Project Manager

Enclosures

cc: Abdelmoez A. Abdalla, Environmental Program Manager (FHWA)
Steve M. Cooke, P.E. Chief, Environmental Services Division (RTC)
Jim Clarke, Pyramid Team
File



REGIONAL TRANSPORTATION COMMISSION

Public Transportation • Streets and Highway • Planning

August 28, 2008

Mr. Charles McNeely
Reno City Manager
c/o John Toth
City of Reno Planning
1 E. First Street
Post Office Box 1900
Reno, NV 89505

**Subject: Pyramid Highway–US 395 Connection Environmental Impact Statement
Participating Agency Review of Purpose and Need Statement, Alternatives
Screening, and Range of Alternatives**

Dear Mr. Toth:

On April 1, 2008, the Nevada Department of Transportation (NDOT) sent you a letter inviting you to serve as a participating agency on the Pyramid Highway–US 395 Connection Environmental Impact Statement (EIS). NDOT received your letter dated April 25, 2008 agreeing to serve as a participating agency on the project. As you may know, the Washoe County Regional Transportation Commission (RTC) serves as a co-lead agency with NDOT on the EIS.

Pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies have an opportunity for involvement in specific milestone reviews. This letter includes three milestone review items (see attached): Purpose and Need Statement, Alternative Screening Methods, and Range of Alternatives. Please provide any comments on these items by September 29, 2008. Please note the Range of Alternatives would be revisited as necessary based on any revisions to the Purpose and Need Statement due to participating agency comments.

Page 2 of our April 1, 2008 letter indicated that your agency's role in the development of the above project should include providing “timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency. . .” Since the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users did not amend federal policy regarding agency review of pre-draft environmental documents, this statement was incorrect. As always, your review of the Draft and Final EISs will be encouraged.

Pyramid Highway–US 395 Connection EIS
Participating Agency Review of Purpose and Need Statement, Alternatives Screening, and Range of Alternatives

Mr. Charles McNeely
c/o John Toth
August 28, 2008
Page 2 of 2

As a reminder, a project TAC meeting is scheduled for **September 18, 2008, from 1:30 p.m. to 3:30 p.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431.**

If you have any questions, please contact me at (775) 335-1865. Thank you for your cooperation and interest in this proposed project.

Sincerely,

Doug Maloy, P.E.
Project Manager

Enclosures

cc: Abdelmoez A. Abdalla, Environmental Program Manager (FHWA)
Steve M. Cooke, P.E. Chief, Environmental Services Division (RTC)
Jim Clarke, Pyramid Team
File



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

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SEP 08 2008

Regional Transportation Commission
Engineering Department

September 4, 2008

Abdelmoez A. Abdalla
Environmental Program Manager
Federal Highway Administration
705 N. Plaza, Suite 220
Carson City, NV 89701

Subject: Comments on Draft Purpose and Need Statement, Draft Methodology for Screening Alternatives, and Draft Initial Range of Alternatives for the Pyramid Highway – US 395 Connection Project, Washoe County, Nevada

Dear Mr. Abdalla:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Purpose and Need Statement, Draft Methodology for Screening Alternatives, and Draft Initial Range of Alternatives for the Pyramid Highway – US 395 Connection Project, Washoe County, Nevada. This letter provides feedback on these documents in accordance with Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). EPA is a Participating Agency (as defined in SAFETEA-LU) for this project and previously provided comments on the February 29, 2008 Notice of Intent (NOI) for the project in a March 31, 2008 letter. Our comments below are in concert with the formal scoping comments in our March 2008 letter.

Purpose and Need

The Draft Purpose and Need Statement states the following purposes for the project:

- Provide improvements to serve existing and future growth areas;
- Provide direct and efficient travel routes to address existing travel inefficiencies;
- Alleviate existing congestion problems on Pyramid Highway;
- Improve existing and future safety issues on Pyramid Highway; and
- Respond to regional and local plans.

EPA has the following comments on these purposes:

- The Purpose and Need Statement quotes population growth figures from the U.S. Census Bureau and the Sparks Master Plan, and forecasts of population and

employment growth by the Regional Transportation Commission (RTC). It also mentions figures of “approved development” of residential units and commercial space. In preparing the draft environmental impact statement (DEIS), these figures should be verified to ensure that the latest growth assumptions are included in forecasts and that estimates of planned development are based on up-to-date information. Recent economic factors, such as the downturn in the housing market, credit crisis, and increased price of gasoline, may have a slowing impact on growth in the area. The impact of these recent events on previous growth projections should be considered, and their relevance to the project need should be discussed in future versions of the Purpose and Need Statement and in the DEIS.

- The statement, “[t]ravel demand for the existing and forecasted growth far exceeds existing capacity” should be supported by quantitative information.
- The crash rates for Pyramid Highway should be provided in the context of statewide or national average rates. While it is important to note that rates have increased in recent years, it is also important to know how these rates compare with averages.
- The Purpose and Need Statement states that “[i]mprovements in the study area are intended to work in concert with other RTP projects” including the Pyramid Way/McCarran Boulevard intersection. EPA previously provided scoping comments on the environmental review process for the proposed intersection project. The study area and some of the alternatives being considered for this project appear to imply that the intersection project may be subsumed into this project. If the environmental process for the intersection will be accomplished through this process, this should be clarified in future project documents.
- The last listed purpose, “[r]espond to regional and local plans” should include a phrase such as “where feasible and in compliance with Federal and state regulations.” Responding to or providing consistency with regional and local plans should not limit the range of alternatives considered to fulfill transportation needs.

Draft Methodology for Screening Alternatives

The Draft Methodology for Screening Alternatives states that “[p]roject evaluation criteria and measures of effectiveness will be developed based on the Purpose and Need of the project, design guidelines, environmental resources, community input, and project goals.” The evaluation criteria and measures of effectiveness that have been, or will be, used in the screening of alternatives should be shared with EPA and other participating agencies. The Draft Initial Range of Alternatives document identifies an alternative that was chosen as the preferred alternative in the Corridor Management Plan (CMP), but it is unclear what level(s) of screening has taken place in the environmental review process. EPA would like to receive more detailed information about which criteria and measures were, or will be, used at each screening level so that we can provide meaningful feedback on the screening process.

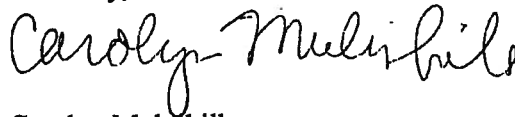
Draft Initial Range of Alternatives

As with the Draft Methodology, EPA would like to receive more information on the range of alternatives in order to provide more meaningful feedback. While we appreciate the presentation of the broad initial range of alternatives, we would like an opportunity to review the

range of alternatives that meet the project's purpose and need and will be considered for review in the DEIS. It appears that some of the alternatives in the Draft Initial Range do not actually fulfill the purpose and need of the project. The document also states that some of the alternatives were "screened" during the CMP process due to various factors, and that others are included as "element[s] of the final package" but it is not clear whether these statements refer just to inclusion in the CMP, or the future DEIS.

Thank you for requesting our comments on these documents. Please contact me at 415-947-3554 or mulvihill.carolyn@epa.gov with any questions related to the comments in this letter. We look forward to reviewing future drafts of these documents and the DEIS.

Sincerely,

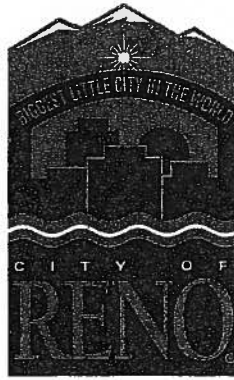


Carolyn Mulvihill
Environmental Review Office

cc: Steve Cooke, Nevada Department of Transportation
Doug Maloy, Regional Transportation Commission
Steve Roberts, U.S. Army Corps of Engineers
Selena Werdon, U.S. Fish and Wildlife Service

John B. Hester, AICP
Community Development Director
775.334.2435
hesterj@CityofReno.com

John Toth, PE
Assistant Community Development Director
775.326.6311
tothj@CityofReno.com



Division Managers

Claudia Hanson, AICP
Deputy Community Development Director - Planning
Kyle West, PE, *Deputy Community Development Director - Land Development Engineering*
Don Rosenthal, CBO
Building and Safety Manager
Alex Woodley
Code Enforcement Manager

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SEP 10 2008

Regional Transportation Commission
Engineering Department

September 09, 2008

Doug Maloy, P.E.
Regional Transportation Commission
P.O. Box 30002
Reno, Nevada 89520

Pyramid Highway-US 395 Connection

Dear Mr. Maloy:

The City of Reno is pleased to be a participating agency for the environmental impact statement for the above project. The City has reviewed the three milestone documents, and has the following comments:

Draft Purpose and Need Elements

Second need on page 1: first sentence should be expanded to state that there are no continuous east-west collector or arterial streets north of McCarran Boulevard in the Level 1 Study Area.

Draft Methodology for Screening Alternatives

1. Step 1 should include cost as an evaluation criterion, as step 3 lists exorbitant costs as a fatal flaw.
2. At what point in the screening process will public input be sought and considered?

Draft Initial Range of Alternatives

1. Alternative S-4. Will the regional shared use path be grade separated at major intersections?

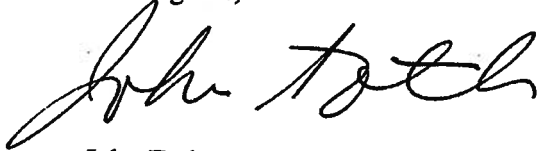
2. Alternative S-6. The cost/benefit analysis of establishing and maintaining a region wide, coordinated traffic signal system akin to the FAST system in the Las Vegas Valley should be part of this alternative.
3. Alternative T-1. Queue jumps and transit signal prioritization are listed as features of bus rapid transit. The impacts to capacity on the street network affected by these features, and to air quality need to be quantified and analyzed.
4. Alternative H-1. Would existing intersections be limited to right turns in and out only?
5. All alternatives where Pyramid is not recommended for upgrade to freeway status: Will Pyramid be widened as a surface street?

Lane Type Options

Alternative L-4. Use of reversible lanes will eliminate exclusive left turn lanes at intersections. Any proposed use of this concept should analyze the impacts of the loss of left turn movements to street network capacity and crash rates.

Please contact me at 326-6311 if you have any questions.

Best regards,



John Toth, P.E.
Assistant Director

cc:

Auro Majumdar, Public Works



U.S. Department
of Transportation
**Federal Highway
Administration**

Nevada Division

March 29, 2012

705 N. Plaza Street, Suite 220
Carson City, NV 89701
Phone 775 687-1204
Fax 775 687-3803

In Reply Refer To:
NVEN-NV

Ms. Athena Brown, Superintendent
Bureau of Indian Affairs
311 East Washington Street
Carson City, Nevada 89701

Subject: Pyramid Highway-US 395 Connection Environmental Impact Statement
Cooperating Agency Invitation

Dear Ms. Brown:

As you know, the Bureau of Indian Affairs (BIA) is serving as a participating agency on the Pyramid Highway-US 395 Connection Environmental Impact Statement (EIS) study. Following discussions in our January 31, 2012 meeting, FHWA agreed that BIA's involvement as a cooperating agency on this project would prove beneficial in the continued coordination with the Reno-Sparks Indian Colony (RSIC) regarding potential impacts to the RSIC parcel located at Eagle Canyon Road and Pyramid Highway, and identification of avoidance and mitigation measures. Therefore, the FHWA requests the participation of the BIA as a cooperating agency in the preparation of the DEIS and FEIS, in accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act (NEPA).

A cooperating agency is any federal agency, other than the lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternatives. Cooperating agencies have a higher degree of authority, responsibility, and involvement in the environmental review process than participating agencies.

In addition to the BIA's involvement to date, per 40 CFR 1501.6, as a cooperating agency the BIA would:

- Assume on request of the lead agency (FHWA) responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.
- Make available staff support at the lead agency's request to enhance the latter's interdisciplinary capability.
- Use their own funds

Please respond with your acceptance of your role as a cooperating agency at your earliest convenience.

I look forward to your continued participation in this proposed project.

Sincerely,

Handwritten signature of Abdelmoez A. Abdalla in cursive script.

Abdelmoez A. Abdalla
Environmental and Research Program Manager

cc: Chris young, NDOT
Sabra Gilbert-Young, NDOT
Andrew Soderborg, FHWA



U.S. Department
of Transportation
**Federal Highway
Administration**

Nevada Division

March 29, 2012

705 N. Plaza Street, Suite 220
Carson City, NV 89701
Phone 775 687-1204
Fax 775 687-3803

In Reply Refer To:
NVEN-NV

Mr. Arlan Melendez, Chairperson
Reno-Sparks Indian Colony
98 Colony Road
Reno, Nevada 89502

Subject: Pyramid Highway-US 395 Connection Environmental Impact Statement,
Cooperating Agency Invitation

Dear Mr. Melendez:

The Reno-Sparks Indian Colony (RSIC) is serving as a participating agency with the Federal Highway Administration (FHWA) on the Pyramid Highway-US 395 Connection Environmental Impact Statement (EIS) study. FHWA is also involved in Government-to-Government consultation with the RSIC on this project. In those roles, the RSIC has been involved in the development of the EIS and consultation regarding potential impacts to the RSIC's property located at Eagle Canyon Road and Pyramid Highway. Following discussions in our January 31, 2012 meeting, FHWA agreed that the RSIC's involvement as a cooperating agency on this project would prove beneficial in our continued coordination regarding impacts to the RSIC parcel and identification of avoidance and mitigation measures. Therefore, FHWA respectfully requests the participation of the RSIC as a cooperating agency in the preparation of the DEIS and FEIS, in accordance with 40 CFR 1501.6 and 1508.5 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act (NEPA).

A cooperating agency is any federal agency, other than the lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternatives. When the effects are on tribal lands, then a Native American Tribe can also be a cooperating agency by agreement with the lead federal agency. Cooperating agencies have a higher degree of authority, responsibility, and involvement in the environmental review process than participating agencies.

In addition to the RSIC's involvement to date, per 40 CFR 1501.6, as a cooperating agency the RSIC would:

- Assume on request of the lead agency (FHWA) responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.

- Make available staff support at the lead agency's request to enhance the latter's interdisciplinary capability.
- Normally use their own funds.

By seeking RSIC status as a cooperating agency, FHWA recognizes the unique standing the Colony has compared to other project stakeholders but we will not seek to unduly burden RSIC staff in meeting the responsibilities of a cooperating agency as noted above. Please respond with your acceptance of your role as a cooperating agency at your earliest convenience.

I look forward to continued consultation with the RSIC on this proposed project.

Sincerely,



Abdelmoez A. Abdalla
Environmental and Research Program Manager

cc: Chris young, NDOT
Sabra Gilbert-Young, NDOT
Andrew Soderborg, FHWA



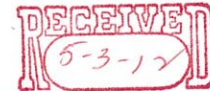
United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Western Nevada Agency
311 East Washington Street
Carson City, Nevada 89701-4065



IN REPLY REFER TO:
Branch of Real Estate Services

MAY 01 2012



Dr. Abdelmoez A. Abdalla
Environmental and Research Program Manager
U. S. Department of Transportation
Federal Highway Administration – Nevada Division
705 N. Plaza St. Ste. 220
Carson City, NV 89701

Dear Dr. Abdalla:

The Bureau of Indian Affairs, Western Nevada Agency (BIA/WNA) received your letter concerning the Pyramid Highway–US 395 Connection Environmental Impact Statement Cooperating Agency Invitation on April 4, 2012 requesting BIA, currently serving as a participating agency, serve as a Cooperating Agency. We agree that our involvement in this project would be beneficial as it impacts Reno-Sparks Indian Colony (RSIC) lands.

The Bureau welcomes the opportunity to participate as a Cooperating Agency; and, therefore accepts your invitation. We look forward to working with you and the other agencies on this project.

Sincerely,


Superintendent

cc: WNA Realty Officer
WRO Environmental Protection Officer
Chairman Arlan Melendez, RSIC
Steve Moran, RSIC
Scott Nebesky, RSIC

July 9, 2012



Dr. Abdelmoez A. Abdalla
Environmental and Research Program Manager
U.S. Department of Transportation
Federal Highway Administration – Nevada Division
705 N. Plaza St. Ste. 220
Carson City, NV 89701

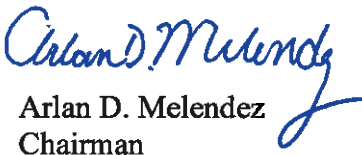
re: Pyramid Highway-US 395 Connection Environmental Impact Statement Cooperating
Agency Invitation

Dear Dr. Abdalla:

The Reno-Sparks Indian Colony (RSIC) received your letter concerning the Pyramid Highway-US 395 Connection Environmental Impact Statement Cooperating Agency Invitation requesting the RSIC to serve as a cooperating agency. We agree with your assessment that the RSIC and the project would benefit from this additional level of coordination regarding the analysis and mitigation of impacts to the RSIC. We accept your request and invitation to participate in this process as a cooperating agency.

We look forward to working with you on this project.

Sincerely,


Arlan D. Melendez
Chairman

cc: Scott Nebesky, RSIC

**Appendix A:
Agency Coordination**

Section 106

PROGRAMMATIC AGREEMENT

Among the

**Federal Highway Administration
Nevada State Historic Preservation Officer
Nevada Department of Transportation
Washoe County Regional Transportation Commission
Bureau of Land Management
US Army Corps of Engineers**

Regarding the

**Pyramid Highway and US 395 Connector Project
Washoe County, Nevada**

WHEREAS, the Federal Highway Administration (FHWA), under the authority of 23 U.S.C. 101 et seq., implements the Federal-aid Highway Program (Program) in the state of Nevada by funding and approving state and locally sponsored transportation projects that are administered by the Nevada Department of Transportation (NDOT); and

WHEREAS, FHWA is the lead federal agency responsible for compliance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. § 470f), and the implementing regulations 36 CFR Part 800 for the construction of the Pyramid Highway and US 395 Connector Project (Undertaking) in Washoe County, Nevada; and

WHEREAS, the effects of the Undertaking on historic properties cannot be fully determined prior to approval of the Undertaking, and FHWA, as the lead federal agency, is using the regulations at 36 C.F.R. 800.14(b)(1)(i)–(ii) to create this Programmatic Agreement (PA), and the signatories have determined that the review of this Undertaking may properly and appropriately be governed by this PA, negotiated and executed as authorized by 36 C.F.R. § 800.14(b); and

WHEREAS, FHWA has determined that a phased process for compliance with NHPA is appropriate for the Undertaking, as specifically allowed under 36 C.F.R. § 800.4(b)(2) and 36 C.F.R. § 800.5(a)(3), such that completion of the identification and evaluation of historic properties, determinations of effect on historic properties, and consultation concerning measures to avoid, minimize, or mitigate any adverse effects will be carried out in phases, as set forth in this PA, as part of planning for and prior to any Notice to Proceed (“NTP”) and Undertaking implementation; and

WHEREAS, FHWA has consulted with the Nevada State Historic Preservation Officer (SHPO) pursuant to NHPA in the development of this PA; and

WHEREAS, NDOT administers federal aid highway projects throughout the State of Nevada as authorized by Title 23 U.S.C. 302 and has been invited to participate in the development of this PA and to be an invited signatory (“Invited Signatory”); and

WHEREAS, the Washoe County Regional Transportation Commission (RTC) is the local agency project sponsor and this PA assigns substantial responsibilities to RTC, FHWA has invited RTC to consult in the development of this PA and to be an invited signatory (“Invited Signatory”); and

WHEREAS, the RTC will ask the U.S. Army Corps of Engineers (Corps) to issue permits under the Clean Water Act for the Undertaking, FHWA and the Corps agree that FHWA would assume the role as the lead federal agency for fulfilling their collective responsibilities under NHPA, as provided in 36 C.F.R. § 800.2(a)(2); and

WHEREAS, the Undertaking may require the Bureau of Land Management (BLM) to appropriate land required for right-of-way, FHWA and the BLM agree that FHWA would assume the role as the lead federal agency for fulfilling their collective responsibilities under NHPA, as provided in 36 C.F.R. § 800.2(a)(2); and

WHEREAS, FHWA acknowledges that it has consultation responsibilities to Indian Tribes regardless of whether the Tribes execute concurrence to this PA; and

WHEREAS, FHWA will negotiate a separate agreement with the Reno-Sparks Indian Colony for the portion of the Undertaking on tribal land. Therefore, no part of this PA will address the Undertaking’s activities on tribal lands; and

WHEREAS, FHWA in developing this PA in compliance with 36 C.F.R. § 800.14(b)(2)(i) and (f), FHWA has made a reasonable and good faith effort to identify and seek consultation with every federally recognized Indian Tribe that has religious or cultural ties to, or whose direct ancestors had historic or prehistoric religious or cultural ties to the project area, and that, because of such ties, may attach religious and cultural significance to historic properties that may be affected by the Undertaking, (16 U.S.C. § 470a(d)(6)(A) (“Properties of traditional religious and cultural importance to an Indian Tribe . . . may be determined to be eligible for inclusion on the National Register.”) (referred to as PRCS), and FHWA has identified under those criteria the following Tribes: Pyramid Lake Paiute Tribe, Washoe Tribe of Nevada and California, and Reno-Sparks Indian Colony (Identified Indian Tribes); and

WHEREAS, FHWA has initiated formal government-to-government consultation with each Identified Indian Tribe by contacting that tribal government, or a person authorized by such government to speak for the tribe on NHPA compliance, offering meetings between FHWA and that Tribe’s designated tribal representative and/or governing body to discuss any concerns the Tribe may have regarding: (1) the Undertaking; (2) any historic properties and cultural resources, including PRCS, that may be affected by the Undertaking; and (3) the Identified Indian Tribes’ desires to protect any such property(ies) from imprudent or unnecessary public identification or disclosure; and

WHEREAS, FHWA reaffirms its offer to consult regarding the Undertaking with each Identified Indian Tribe that desires to do so, in a manner respectful of both tribal sovereignty and the unique government-to-government relationship between Indian Tribes and the United States government; and

WHEREAS, FHWA invited and encouraged these Identified Indian Tribes to be concurring parties (Concurring Parties) to this PA; and

WHEREAS, FHWA sought the views of the public in the development of this PA by providing notice and information regarding the Undertaking and its anticipated effects on historic properties, solicited public comment and input on the PA during and concurrent with the public comment process for the Draft Environmental Impact Statement (EIS) for the Undertaking, and has considered those public comments during the development of this PA; and

WHEREAS, in accordance with 36 C.F.R. § 800.14(b)(3), FHWA has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination and the development of this PA by providing the specified documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii);

NOW, THEREFORE, FHWA, SHPO, NDOT, and RTC agree that the proposed undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on historic properties.

STIPULATIONS

FHWA, assisted by NDOT, shall ensure that the following measures are carried out:

I. UNDERTAKING DESCRIPTION AND THE AREA OF POTENTIAL EFFECT (APE)

- A. The Undertaking includes converting Pyramid Highway to a freeway facility, arterial widening, and ancillary improvements from Queen Way to Calle de la Plata Drive, and construction of a new freeway facility and ancillary improvements from Pyramid Highway to US 395 in Washoe County, Nevada. Design modifications added or altered after the Record of Decision (ROD) is executed, will follow the provisions of the PA.
- B. The APE (36 CFR 800.16(d)) includes all potential direct, indirect, and cumulative effects to historic properties resulting from any activity associated with the Undertaking. These activities include, but are not limited to:
 - 1. Construction of the Pyramid Highway and US 395 Connector Project as specified in the Pyramid Highway and US 395 Connector Final EIS and as illustrated in Appendix A.

2. Ancillary facilities necessary for the construction of the Pyramid Highway and US 395 Connector Project may include, but are not limited to, frontage roads, flood control facilities, material sources, construction, and/or utility easements and their associated staging areas and access roads.
- C. FHWA defined, in consultation with SHPO, the APE for direct effects as the estimated construction footprint of the Undertaking plus a 100-foot-wide buffer on each side.
 - D. FHWA also defined, in consultation with SHPO, the APE for visual, audible, or atmospheric effects (Appendix A). FHWA shall re-evaluate the APE for these effects, in consultation with SHPO and Invited Signatories, upon the selection of a Preferred Alternative. This re-evaluation shall take into account the nature, scope, and intensity of the potential effect, along with comments received during public scoping and consultation with Identified Indian Tribes. A meeting between all PA Signatories and Invited Signatories to discuss this re-evaluation of the APE will occur within 30 calendar days of the issuance of the ROD. In general, visual effects exceed the range of the auditory effects (traffic noise analyses focus on parcels adjacent to, or one parcel from, the right-of-way) for this Undertaking.
 - E. FHWA determined that the cumulative effects associated with the undertaking would not extend beyond that expected for the visual and auditory effects described above. FHWA shall re-evaluate the APE for these effects, in consultation with SHPO and Invited Signatories, upon the selection of a Preferred Alternative. This re-evaluation shall take into account the nature, scope, and intensity of the potential effect, along with comments received during public scoping and consultation with Identified Indian Tribes. A meeting between all Signatories and Invited Signatories to discuss this re-evaluation of the APE will occur within 30 calendar days of the issuance of the ROD.
 - F. FHWA, in consultation with SHPO, may modify the APE at any time as it determines is reasonable and appropriate under the terms of this PA. FHWA will provide reasonable prior notification of such action to all Invited Signatories, other consulting parties, and Identified Indian Tribes. Amendments to the APE will not require an amendment to this PA under Stipulation XII.

II. IDENTIFICATION OF HISTORIC PROPERTIES

- A. FHWA, in consultation with SHPO, Invited Signatories, Identified Indian Tribes, and other consulting parties, shall determine the scope of identification efforts.
- B. FHWA, in consultation with SHPO, shall ensure that consulting archaeologists and other professionals meeting qualifications set forth in the Secretary of Interior's Professional Qualifications Standards (36 CFR 61) perform or supervise all necessary identification activities for the Undertaking.

- C. FHWA, in consultation with SHPO, shall identify properties that may be affected by an undertaking and shall gather information sufficient to evaluate the eligibility and integrity of these resources for listing in the National Register of Historic Places (NRHP). Information may be obtained through cultural resource surveys or other appropriate methods.
- D. Identification efforts may extend beyond the geographic limits of the right-of-way when the resources being recorded extend beyond that right-of-way.
- E. The identification of historic properties shall follow the Secretary of the Interior's Standards and Guidelines for Identification (48 FR 44720-23), and should be consistent with SHPO contexts, FHWA guidance, NDOT Guidance, and any other guidance, methodologies, or protocols that FHWA, NDOT, and the SHPO agree should be used to identify properties, including those of other land-managing agencies.
- F. RTC, through its consultants, has completed an intensive inventory to identify architectural resources affected by the Undertaking for Build Alternatives 1, 2, 3, and 4 (*Architectural Inventory: Pyramid Highway/US 395 Connection Project, Sparks, Washoe County, Nevada*, January 2012; Revised December 2012)(Appendix B).
- G. FHWA will gather information from each Identified Indian Tribe to assist in identifying PRCS that may be eligible for the NRHP and that may be affected by the Undertaking, or a portion thereof.
- H. FHWA will solicit information from other consulting parties or other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the APE that may be affected by the Undertaking, or a portion thereof.
- I. RTC has identified known historic and prehistoric archaeological resources within the Undertaking's APE for direct effects by completing a Class I Inventory. This document will be provided to all Signatories and Invited Signatories, as appropriate.
- J. To build on the identification efforts from the Class I inventory, FHWA, in consultation with SHPO, shall ensure that RTC completes a Class III survey of the Preferred Alternative for direct effects prior to initiation of construction of a given Undertaking phase.
 - 1. Ancillary facilities added to the Undertaking in the future that are located completely within areas previously inventoried by a Class III survey for the Undertaking will not require additional survey or identification, except for

any assessment of effects, mitigation and treatment that may be required or in discovery situations.

2. Ancillary facilities added to the Undertaking in the future that will be located partially or totally outside of areas previously covered by a Class III survey for the Undertaking must be the subject of a full Class III survey and NHPA compliance under the terms of this PA (including development and implementation of evaluation and treatment options, as appropriate) prior to construction of the relevant facilities.
- K. RTC shall perform reasonable identification efforts regardless of the ownership (public or private) of the lands involved, and RTC shall be responsible for attempting to gain access to private land. Where RTC cannot gain access to such lands for purposes of identification of historic properties in any of the Undertaking's APEs, identification efforts on those lands shall be deferred until access is gained. Failure to gain access to accomplish necessary or appropriate identification, treatment or mitigation may require FHWA to consider alternative treatment or mitigation, or to allow deferral of such until access is gained, as provided in 36 C.F.R. § 800.4(b)(2).
- L. In any area in the APE for direct effects where the ground has been heavily disturbed, or in areas where access is prevented or may be dangerous to survey personnel, the FHWA may exempt those portions of the APEs from Class III survey requirements. Notification of these exempted areas will be submitted to SHPO for their information.

III. NRHP EVALUATION OF RESOURCES

- A. FHWA, in consultation with SHPO, Invited Signatories, Identified Indian Tribes, and other consulting parties, will evaluate identified cultural resources in accordance with 36 CFR 800.4(c), and shall make appropriate findings regarding eligibility.
- B. FHWA, in consultation with SHPO, shall ensure that all cultural resources identified within the APE for direct effects are evaluated for eligibility to the NRHP prior to the initiation of ground-disturbing activities that may affect those historic properties.
- C. Where historic property boundaries have not previously been established, NDOT, in consultation with SHPO, will identify recommended boundaries, following standards set forth in National Register Bulletin 21, Defining Boundaries for National Register Properties.
- D. To the extent practicable, NRHP eligibility determinations shall be based on inventory information. If the information gathered in the inventory for

archaeology is inadequate to determine eligibility, NDOT or RTC contractors may conduct limited subsurface probing, or other evaluative techniques, to determine eligibility. Subject to approval by FHWA, evaluative testing of archaeological sites is intended to provide the minimum data necessary to define the nature, density, and distribution of materials in potential historic properties, to make final evaluations of eligibility, and to devise treatment options responsive to the information potential of the property.

- E. FHWA, in consultation with SHPO (Appendix B correspondence), has evaluated the following historic properties and determined them to be eligible for the NRHP as a result of the intensive inventory described in Stipulation II.F above:
 - 1. Sierra Vista Ranch Historic District: Eligible under criteria A and C; and
 - 2. Trosti Family/Kiley Ranch Historic District: Eligible under criteria A and C; and
 - 3. Iratcabal Farm Historic District: Eligible under criteria A and C; and
 - 4. Prosser Valley Ditch Segment C: Eligible under criteria A and B.
- F. Additional resources within the APE for visual, audible, or atmospheric effects may be identified prior to implementation of any phase of the Undertaking. FHWA will evaluate the NRHP eligibility of these resources in accordance with Stipulation III.A above prior to the initiation of ground-disturbing activities that may affect those historic properties.
- G. Upon selection of the preferred alternative, FHWA will seek to consult with the SHPO on any resources within that alternative that have not already been evaluated in consultation with the SHPO and the Invited Signatories.
- H. FHWA shall seek to consult with each Identified Indian Tribe concerning the NRHP eligibility of any cultural resource to which that Indian Tribe attaches traditional religious and cultural significance and that would be affected by the Undertaking,.
- I. Any disagreements regarding eligibility shall be handled in accordance with Stipulation XI.
- J. Consulting parties and members of the public may at any time submit to FHWA comments regarding conclusions, recommendations or consensus determinations made pursuant to this Stipulation III regarding NRHP eligibility for properties potentially affected by the Undertaking.

IV. ASSESSMENT OF EFFECTS

- A. FHWA, in consultation with SHPO and any Identified Indian Tribe, shall apply the criteria of adverse effect to historic properties within the Undertaking APE in accordance with the terms of 36 C.F.R. § 800.5. FHWA shall consider any views concerning such effects that have been provided by Invited Signatories, other consulting parties and the public.
- B. FHWA may use a phased process in applying the criteria of adverse effect, consistent with phased identification and evaluation efforts provided in 36 C.F.R. § 800.5(a)(3), because alternatives under consideration in this review consist of corridors and large land areas, the alternative of the Undertaking has not yet been selected, future new Rights-of-Ways for the Undertaking as described in Appendix A have not yet been defined, and access to some potentially affected properties may be restricted.
- C. FHWA has determined, in consultation with SHPO, that the Undertaking would result in the following effects to historic properties identified as a result of the intensive inventory described in Stipulation II.F above:
 1. Sierra Vista Ranch Historic District: Without modification, the Undertaking would have introduced new visual and audible elements into the district's setting that would have diminished the integrity of the property's significant historic features. However, these visual and audible effects will be avoided by implementation of agreed-upon avoidance measures. Therefore, FHWA has determined that the Undertaking would result in *No Adverse Effect* to this resource. Avoidance measures are outlined in the *Pyramid Highway/US 395 Connection Draft Environmental Impact Statement* and will be finalized as part of the Section 106 process and documented in the *Record of Decision*.
 2. Trosi Family/Kiley Ranch Historic District: Without modification, the Undertaking would have introduced new visual and audible elements into the district's setting that would have diminished the integrity of the property's significant historic features. However, these visual and audible effects will be avoided by implementation of agreed-upon avoidance measures. Therefore, FHWA has determined that the Undertaking would result in *No Adverse Effect* to this resource. Avoidance measures are outlined in the *Pyramid Highway/US 395 Connection Draft Environmental Impact Statement* and will be finalized as part of the Section 106 process and documented in the *Record of Decision*.
 3. Iratcabal Farm Historic District: Without modification, the undertaking would have introduced new visual and audible elements into the site's setting that would have diminished the integrity of the property's significant historic features. However, these visual and audible effects will be avoided by implementation of agreed-upon avoidance measures. Therefore, FHWA has determined that the Undertaking would result in *No Adverse Effect* to this

resource. Avoidance measures are outlined in the *Pyramid Highway/US 395 Connection Draft Environmental Impact Statement* and will be finalized as part of the Section 106 process and documented in the *Record of Decision*.

4. Prosser Valley Ditch Segment C: All build alternatives would directly affect the ditch in varying degrees. Therefore, all build alternatives would result in an *Adverse Effect* to this resource.

V. TREATMENT OF ADVERSELY AFFECTED HISTORIC PROPERTIES

- A. In avoiding, minimizing or mitigating adverse effects to historic properties from the Undertaking, or any facility or portion thereof, FHWA, in consultation with SHPO, Invited Signatory, any Identified Indian Tribe that attaches religious and cultural significance to the adversely affected historic property and other consulting parties, shall develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate adverse effects to historic properties consistent with the terms of 36 C.F.R. § 800.6.
- B. FHWA, in consultation with SHPO, shall ensure that, to the extent reasonably practicable, RTC will avoid effects to historic properties through project design, redesign, relocation of facilities, or by other means.
- C. When avoidance is not feasible or reasonably practicable, FHWA, in consultation with SHPO, appropriate land managing agencies, affected Identified Indian Tribes and other consulting parties, and in coordination with NDOT and RTC shall ensure that an appropriate historic properties treatment plan (“HPTP”) is developed to minimize, mitigate, or otherwise resolve Undertaking-related effects to historic properties.
 1. Consistent with this PA, the HPTP will establish an overall approach for mitigation and treatment, identifying key aspects and issues, including programmatic NRHP eligibility issues, post-construction data recovery, tribal consultation, and participation, and reporting measures, that will prove crucial in its implementation. The HPTP will review site significance issues and research domains for both prehistoric and historic-era resources, and will identify data recovery treatment options based on site type for prehistoric resources, and theme-specific property type for historic-era resources. The HPTP will present both pre- and post-construction data recovery plans, the latter recognizing that post-construction data recovery is appropriate for historic properties or portions of historic properties that will not be directly affected by the Project. The HPTP will propose field and laboratory methods, and will address cultural resources monitoring procedures and unanticipated discovery situations. The discovery plan in the HPTP will be consistent with, but may expand on, the procedures provided herein and describe the identification, protection, recording, treatment, notification, and reporting

procedures associated with unanticipated archaeological finds. The discovery plan will provide a separate discussion for discovery situations involving human remains.

2. For properties eligible under criteria A through C (36 C.F.R. § 60.4), mitigation and treatment activities other than archaeological data recovery will be considered in the HPTP including, but not limited to, Historic American Building Survey/Historic American Engineering Record/Historic American Landscapes Survey (HABS/HAER/HALS) or other appropriate recordation or preparation of an oral history, historic markers, exhibits, interpretive brochures or publications, or similar historic or educational materials. For historic resources determined to be of local and state significance, HABS/HAER recordation is not required; instead a report detailing the historical context and significance of the property, and architectural and engineering documentation, including plans and photographs of the property, must be prepared and submitted to the SHPO. Where appropriate, the HPTP shall include provisions describing the content and number of copies for a publication of treatment materials for the public.
- D. When data recovery is required as a condition of approval, FHWA, in consultation with SHPO, shall ensure that RTC, through its contractor, develops a Data Recovery Treatment Plan (Plan) that is consistent with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716-37), *Treatment of Historic Properties: A Handbook* (Advisory Council on Historic Preservation 1980) and ACHP's Recommended Approach for Consultation on the Recovery of Significant Information from Archaeological Sites dated June 17, 1999. The required mitigation activities shall be completed regardless of the ownership (Federal, state, private lands) of the lands involved. If RTC cannot gain access to private lands not owned by RTC through reasonable efforts, only the portions of the historic property directly affected by the Undertaking shall be treated.
 - E. FHWA shall consult with each Identified Indian Tribe in accordance with the FHWA policies, and with SHPO, to develop treatment options for adversely affected historic properties, including PRCS.
 - F. RTC, through its consultants, shall submit to FHWA a draft report on mitigation activities 12 months after the completion of the fieldwork associated with the activities, unless otherwise negotiated. FHWA shall submit draft reports to the SHPO, the appropriate land managing agencies, Identified Indian Tribes, and appropriate consulting parties, for a 30-day review and comment period. After review comments are considered, FHWA shall submit a final report to the SHPO the appropriate land managing agencies, Identified Indian Tribes, and consulting parties as appropriate.

VI. CURATION

All records, photographs, maps, field notes, artifacts, and other materials collected pertaining to survey and mitigation activities will be curated in a facility, in Nevada if possible, that meets the standards set forth in 36 CFR Part 79 (Curation of Federally-owned and Administered Archaeological Collections), at the time the final report associated with the activities is accepted by FHWA, provided that the disposition of any Native American human remains and/or funerary objects is conducted in accordance with Stipulation VIII. Curation of records, photographs, maps, field notes, artifacts, and other materials collected from or developed for any treatment activities shall be stipulated in all treatment plans, and shall meet this stipulation.

VII. POST-REVIEW DISCOVERIES

- A. Prior to initiating any ground-disturbing activities for the Undertaking, NDOT and RTC will provide FHWA and the appropriate land managing agencies with a list of and schedule for NDOT and RTC employees or their consultants who are empowered to halt all activities in discovery situations and who will be responsible for notifying FHWA of any discoveries. At least one of these employees shall be present during all construction activities. That person will be responsible for notifying FHWA of any qualifying discoveries
- B. If previously unidentified archaeological or historic properties, other than isolates, or unanticipated effects to historic properties, are discovered during construction activities, all activities within 25 feet of the discovery shall stop immediately. RTC or its authorized representative shall immediately secure the location of the discovery to prevent vandalism or other damage. Ground-disturbing activity in that area shall be suspended until NDOT, on behalf of FHWA, has evaluated the discovery, notified consulting parties, assured the completion of any necessary mitigation or treatment measures for historic properties, and issued a written authorization for the resumption of activities.
- C. No further construction activities will occur within 25 feet of the discovery until the requirements of 36 CFR 800.13 have been satisfied, including consultation with Tribes that may attach traditional cultural and religious significance to the discovery.
- D. NDOT will consult with FHWA, SHPO, Identified Indian Tribes, other consulting parties, and the ACHP as appropriate, to record, document, and evaluate the NRHP eligibility of the discovery and the Undertaking's effect on the discovery, and to design a plan for avoiding, minimizing, or mitigating adverse effects on the eligible discovery, per 36 CFR 800.13(b)(3).

- E. If FHWA, SHPO or a Tribe does not submit an objection to NDOT in writing within 48 hours of receipt of NDOT's plan for addressing the discovery, NDOT may carry out the requirements of 36 CFR 800.13 on behalf of FHWA, and the ACHP does not need to be notified.
- F. After notification and consideration of comments from SHPO and Identified Indian Tribes, if NDOT, on behalf of FHWA, determines the discovery does not involve a historic property, NDOT may issue written authorization for resumption of activities.
 - 1. NDOT may request or gather additional information as it deems necessary, and may approve the restarting of some or all suspended activities based upon the information and recommendation received, and NDOT may condition the restarting of suspended activities as it deems appropriate.
 - 2. Suspended construction activities in the area of the discovery may resume when NDOT notifies RTC either by written or electronic communication (email or fax), or orally followed by written or electronic confirmation, that objectives of the fieldwork phase of mitigation are achieved and activities can resume.
- G. NDOT, on behalf of FHWA, will ensure those measures it deems appropriate to avoid, minimize, or resolve adverse effects are implemented in accord with Stipulation V. The SHPO and Identified Indian Tribes that the FHWA determines may attach traditional religious and cultural significance to the affected property will be provided with a report of actions taken after completion.
- H. For discovered isolates, RTC will provide documentation to FHWA in the final monitoring report.
- I. For unanticipated discoveries, the reporting archeologist will prepare and transmit to FHWA a written report of the discovery and recommendations within 30 days or as otherwise determined by the FHWA.
- J. FHWA shall require that reports of mitigation efforts are completed in a timely manner and that they conform to the accepted standards. Drafts of such reports shall be submitted to the SHPO, for a 30-day review and comment period as stipulated in Stipulation IX. FHWA shall submit final reports to the SHPO, Identified Indian Tribes that attach traditional religious and cultural significance to the affected property, and other consulting parties for informational purposes, as appropriate.

VIII. TREATMENT OF NATIVE AMERICAN REMAINS

Native American remains and any funerary objects, sacred objects, or objects of cultural patrimony (cultural objects) inadvertently discovered within the APE on federal or tribal lands shall be treated pursuant to the Repatriation Act (NAGPRA) of 1992 (U.C.A. 9-9-401, et seq., and its implementing Rule R230-1). The federal land manager is responsible for compliance with NAGPRA.

- A. Upon discovery of NAGPRA materials, if not previously addressed in a work or data recovery plan, NDOT and RTC will notify, within 24 hours:
 - 1. The federal land manager,
 - 2. The appropriate SHPO or THPO,
 - 3. FHWA.
- B. Notification may occur via email, fax, or telephone.
- C. FHWA does not have any NAGPRA responsibilities because it neither owns lands in the State of Nevada nor does it act as a museum as it is defined in NAGPRA. Native American Remains and funerary objects, sacred objects, or objects of cultural patrimony removed from non-Federal lands may be subject to NAGPRA if NDOT acts as a museum, as defined in NAGPRA.
- D. THPO jurisdiction applies to tribal lands. Per Section 301(14) of the NHPA, tribal lands are (a) all lands within the exterior boundaries of any Indian reservation and (b) all independent Indian communities.
- E. Upon discovery of Native American remains on non-federal lands, the Native American remains will be treated by NDOT in accordance with (Nevada Revised Statutes) NRS 383.16.

IX. TIME FRAMES

- A. NDOT, on behalf of FHWA, shall review and comment on any report submitted by RTC within 30 calendar days of receipt, unless NDOT agrees to comment in a shorter time, or requests additional time. FHWA may issue a NTP for a given Undertaking element or portion immediately after FHWA finds that the conditions in Stipulation X are met.
- B. Unless otherwise agreed, RTC shall submit final reports to FHWA by the following deadlines:
 - 1. A draft final report of all identification/inventory and evaluation efforts within nine (9) months of the completion of the fieldwork associated with the activity.

2. A draft final report of all supplementary evaluation activities within twelve (12) months of the completion of the fieldwork associated with the activity.
 3. A draft final report of all treatment or other treatment activities within twenty-four (24) months of the completion of the fieldwork associated with the activity.
- C. SHPO Consultation. Except for unanticipated discovery situations, FHWA shall submit the results of all identification or evaluation reports, treatment plans, and final draft reports to the SHPO for a 30-calendar day review and comment period, measured from the date of SHPO receipt.
- D. Identified Indian Tribes and Other Consulting Parties. Concurrent with any SHPO submission (except in unanticipated discovery situations), FHWA shall provide copies of draft reports to Identified Indian Tribes that attach religious and cultural significance to the affected property. FHWA will consider any comments received within the 30-calendar-day comment period. FHWA shall provide to all Identified Indian Tribes and other consulting parties copies of the final report within 45 days after it is received from RTC, as appropriate.
1. FHWA shall provide SHPO, Invited Signatories, and other consulting parties, as appropriate with copies of any comments received during consultation in Stipulation IX.D. The SHPO shall have 10 calendar days to review the comments.
- E. Timeline for Curation. Materials and artifacts to be curated (defined in Stipulation VI) will be sent to a facility in Nevada approved by the FHWA that reasonably meets the procedural, security, and quality standards in 36 C.F.R. Part 79, or to the owner, within 15 days of when the final report associated with that activity is accepted by the FHWA. If materials and artifacts are subject to NAGPRA, the appropriate land manager will manage those materials and artifacts in accordance with 43 C.F.R. Part 10, or according to any applicable Plan of Action (POA) executed after this PA. RTC will provide to FHWA copies of records confirming curation or transfer of possession within five business days of acceptance by the curatorial facility or owner.

X. NOTICES TO PROCEED (NTP)

A NTP may be issued for the entire project, or portions thereof, after fulfillment of one of the following conditions:

- A. FHWA or NDOT, in consultation with SHPO, determines that no historic properties will be affected by construction of the Undertaking facility or portion described in the RTC request; or

- B. FHWA or NDOT, in consultation with SHPO, determines that construction of the Undertaking facility or portion described in the RTC request will have no adverse effect to historic properties; or
- C. FHWA or NDOT, in consultation with SHPO, Identified Indian Tribes, and other consulting parties as appropriate, determines that an appropriate treatment plan for the Undertaking facility or portion described in the RTC submission has been implemented, and the following have all occurred:
 - 1. The fieldwork phase of the treatment plan has been completed; and
 - 2. FHWA or NDOT has accepted a summary description of the fieldwork performed and a reporting schedule for that work; and
 - 3. FHWA or NDOT shall provide a copy of the summary to SHPO; and
 - 4. The SHPO shall review the summary. If the SHPO concurs or does not respond within two working days of receipt, FHWA or NDOT shall assume concurrence and issue the NTP.

XI. DISPUTE RESOLUTION

- A. If SHPO, Invited Signatories, land managing agency, Identified Indian Tribes, or any other consulting party or individual objects to any action taken by FHWA pursuant to this PA, FHWA shall immediately consult with the objecting party, and the other consulting parties, to resolve the objection. If FHWA determines that the objection cannot be resolved, FHWA shall forward all documentation relevant to the dispute to the ACHP. Within 30 calendar days after receipt of all pertinent documentation, the ACHP will either:
 - 1. Provide FHWA with recommendations, which FHWA will take into account in reaching a final decision regarding the dispute; or
 - 2. Notify FHWA that it will comment pursuant to applicable regulations and proceed to comment. Any ACHP comment provided in response to such a request will be taken into account by FHWA in accordance with reference to the subject of the dispute.
- B. At any time during implementation of the measures stipulated in this PA, should an objection to any such measure or its manner of implementation be raised by a member of the public, FHWA shall take the objection into account and consult, in an appropriate manner as needed, with the objecting party, the appropriate land managing agency, the SHPO, and/or the ACHP to resolve the objection.

- C. Any recommendation or comment provided by the ACHP shall be understood to pertain only to the subject of the dispute; FHWA's responsibility to carry out all actions under this PA that are not the subject of the dispute shall remain unchanged.
- D. In the event of a disagreement concerning a NRHP recommendation, and consensus determination of NRHP eligibility for any cultural resource in the APE, FHWA and NDOT shall first consult with the disagreeing party to resolve the disagreement.
 - 1. If the disagreement cannot be resolved through informal consultation, NDOT shall notify FHWA, whereupon FHWA, NDOT, SHPO, and any consulting party (including federal agencies) shall consult to resolve the disagreement.
 - 2. If the disagreement is not resolved, FHWA shall refer the issue to the Keeper of the National Register to obtain a determination of eligibility. The Keeper's determination will be considered final.
 - 3. The signatories acknowledge that any Identified Indian Tribe that disagrees with a FHWA, NDOT, and SHPO consensus determination regarding NRHP eligibility may ask the ACHP to request that FHWA obtain a determination by the Keeper.

XII. AMENDMENT

Any Signatory, Invited Signatory, Concurring Party or Identified Indian Tribe that determines that any term of this PA will not be, is not being, or cannot be carried out, or that sees the need for an amendment to improve or clarify the functioning of this PA or for any other reason, may consult with the Signatories to attempt to develop an amendment or agree on another way to resolve the issue. This PA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all the Signatories is filed with the ACHP.

XIII. TERMINATION

If any Signatory or Invited Signatory to this PA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation XII, above. If within thirty (30) days (or another time period agreed to by all Signatories) an amendment cannot be reached, any Signatory or Invited Signatory may terminate the PA upon written notification to other Signatories. Once the PA is terminated, and prior to work continuing on the undertaking, FHWA must either (a) execute a new PA or Memorandum of Agreement (MOA) pursuant to 36 CFR Part 800.6, or (b) request,

take into account, and respond to the comments of the ACHP under 36 CFR Part 800.7. FHWA shall notify the Signatories as to the course of action it will pursue.

A Concurring Party can terminate its participation and concurrence in this PA by notifying FHWA in writing. FHWA will notify all Signatories, Invited Signatories, and signing Concurring Parties of that termination. The termination of a Concurring Party's participation and concurrence in this PA will not invalidate or otherwise affect this PA.

XIV. TERMS OF AGREEMENT

- A. This PA shall become effective on the date on which the PA has been executed by all Signatories and Invited Signatories. The failure or refusal of any Invited Concurring Party to sign this PA will not invalidate or otherwise affect this PA.
- B. This PA shall remain in effect for a period of ten (10) years after the date it takes effect and shall automatically expire and have no further force or effect at the end of this ten-year period unless it is terminated prior to that time in accord with Stipulation XIII.
- C. No later than six months prior to the expiration date of the PA, FHWA shall initiate consultation with the Signatories and Invited Signatories to determine if the PA should be allowed to expire automatically or whether it should be extended for an additional term, with or without amendments, as the Signatories may determine. Unless the Signatory or Invited Signatories unanimously agree through such consultation on an alternative to automatic expiration of this PA, this PA shall automatically expire and have no further force or effect in accordance with the timetable stipulated herein.
- D. This PA may be executed in two or more counterparts, each of which shall be deemed an original but all of which together constitute one and the same instrument. The FHWA will distribute copies of all signed pages to the Signatories and Invited Signatories once the PA is executed.
- E. Each Invited Concurring Party may sign a counterpart copy of the final PA and transmit one copy of the PA originally signed by that party to FHWA. FHWA will notify each Signatory, Invited Signatories, and each signing Concurring Party when any Concurring Party has signed this PA. FHWA will transmit to each signing Concurring Party, Signatory, and Invited Signatory a copy of this PA containing photocopy(ies) of the signatures of all signing parties as of that time.

SIGNATORIES

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Federal Highway Administration

By: _____
Susan Klekar, Division Administrator

Date

DRAFT

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Nevada State Historic Preservation Officer

By: _____
Rebecca L. Palmer, Acting State Historic Preservation Officer Date

DRAFT

INVITED SIGNATORIES

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Nevada Department of Transportation

By: _____
Rudy Malfabon, PE, Director

Date

DRAFT

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Washoe County Regional Transportation Commission

By: _____
Lee Gibson, Executive Director

Date

DRAFT

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Concur: Reno-Sparks Indian Colony

By: _____
Arlan Melendez, RSIC Chairman

Date

And

By: _____
Michon Eben, THPO

Date

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Concur: Bureau of Land Management

By: _____
Rachael Crews

Date

DRAFT

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Concur: US Army Corps of Engineers

By: _____
Kristine Hansen, Senior Project Manager

Date

DRAFT

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Concur: Pyramid Lake Paiute Tribe

By: _____
Elwood Lowery, Chairman

Date

and

By: _____
Shannon Mandell, Museum Director

Date

DRAFT

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Concur: Washoe Tribe of Nevada and California

By: _____
Darrel Kizer, Vice Chairman

Date

and

By: _____
Darrel Cruz, THPO

Date

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Concur: City of Reno, Nevada

By: _____
Robert Cashell, Mayor

Date

DRAFT

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Concur: City of Sparks, Nevada

By: _____
Geno Martini, Mayor

Date

DRAFT

Execution and implementation of this PA by FHWA, SHPO, NDOT, and RTC evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Concur: Washoe County, Nevada

By: _____
David Humke, Chairman

Date

DRAFT

Appendix A

UNDERTAKING DESCRIPTION AND THE AREA OF POTENTIAL EFFECT (APE)

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Regional Transportation Commission (RTC), is currently preparing an EIS to identify and evaluate transportation improvements along the Pyramid Highway corridor and a proposed connection between Pyramid Highway and US 395. The Study Area surrounds the existing Pyramid Highway from Calle de la Plata at the northern end to Queen Way at the southern end. The Study Area also includes the area where portions of the proposed roadway connecting existing Pyramid Highway and US 395 (called the US 395 Connector) may be located, extending from near Dandini Boulevard on the western end to Vista Boulevard on the east end (see Figure 1).

Under all four build alternatives, improvements would convert Pyramid Highway to a limited-access freeway between Highland Ranch Parkway and Eagle Canyon Drive, with half interchanges at Eagle Canyon Drive, Dolores Drive, Lazy 5 Parkway, and Highland Ranch Parkway, and one-way frontage roads between each half interchange (see Figure 2). The build alternative alignments vary between Sparks Boulevard and Disc Drive, and include an on-alignment, off-alignment, or ridge alignment. The build alternatives also vary in the location of the US 395 Connector, which consider both a southern and northern crossing of Sun Valley Boulevard, as well as two Sun Valley Boulevard intersection options (see Figures 3 through 6).

Early in the Environmental Impact Statement (EIS) process, FHWA, NDOT and RTD established an initial Area of Potential Effect (APE) (see Figure 7) for which a records search would be conducted. An alternatives screening process was then conducted that identified the build alternatives to be evaluated in the EIS. After identifying the build alternatives, FHWA, in consultation with the SHPO, established two APEs for the EIS, which are described below. These APEs will be used to assess impacts for documentation in the EIS. In October 2011, FHWA submitted their recommendation for the APEs to the SHPO, and the SHPO concurred.

- **Historic Architecture APE.** This APE includes the estimated construction footprint of each build alternative and entire adjacent developed property parcels that could be indirectly influenced by visual, audible, or atmospheric effects. Buildings, structures, objects, districts, traditional cultural properties, and cultural landscapes would be more likely to be subject to indirect as well as direct effects; therefore, the APE for the built and cultural environment is broader than the Archaeological APE to include the potential for such effects. The Historic Architecture APE is shown on Figure 7.
- **Archaeological APE.** This APE will consist of the anticipated construction footprint and a 100-foot-wide buffer on each side of the construction footprint to encompass direct effects from ground-disturbing activities and any applicable indirect effects. If a build alternative is selected as the Preferred Alternative, the Lead Agencies will conduct an inventory to identify archaeological resources within the Archaeological APE and assess potential impacts and determine necessary mitigation measures. The Final EIS will document those findings.

Figure 1: Study Area

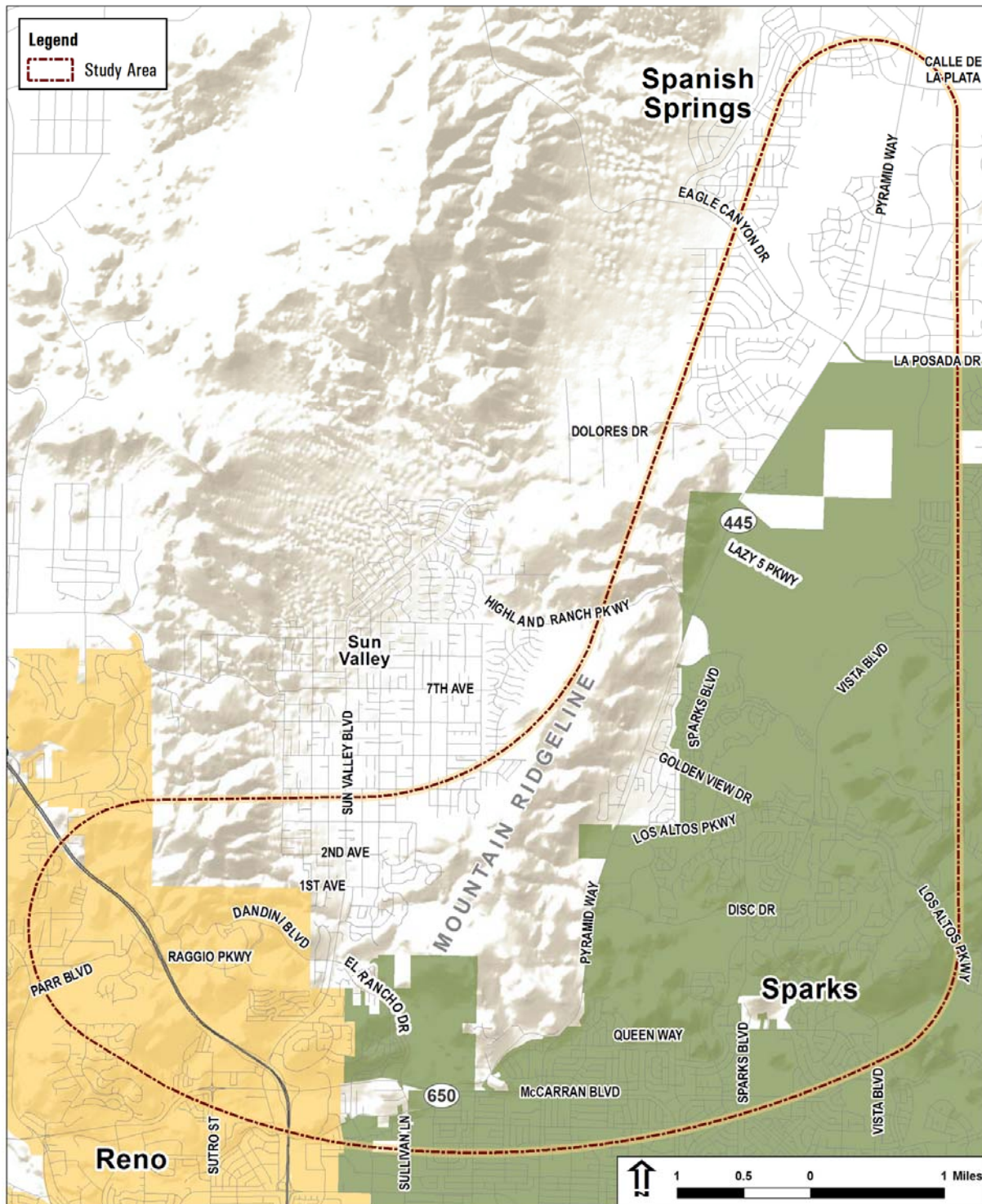


Figure 2 – Elements Common to All Build Alternatives

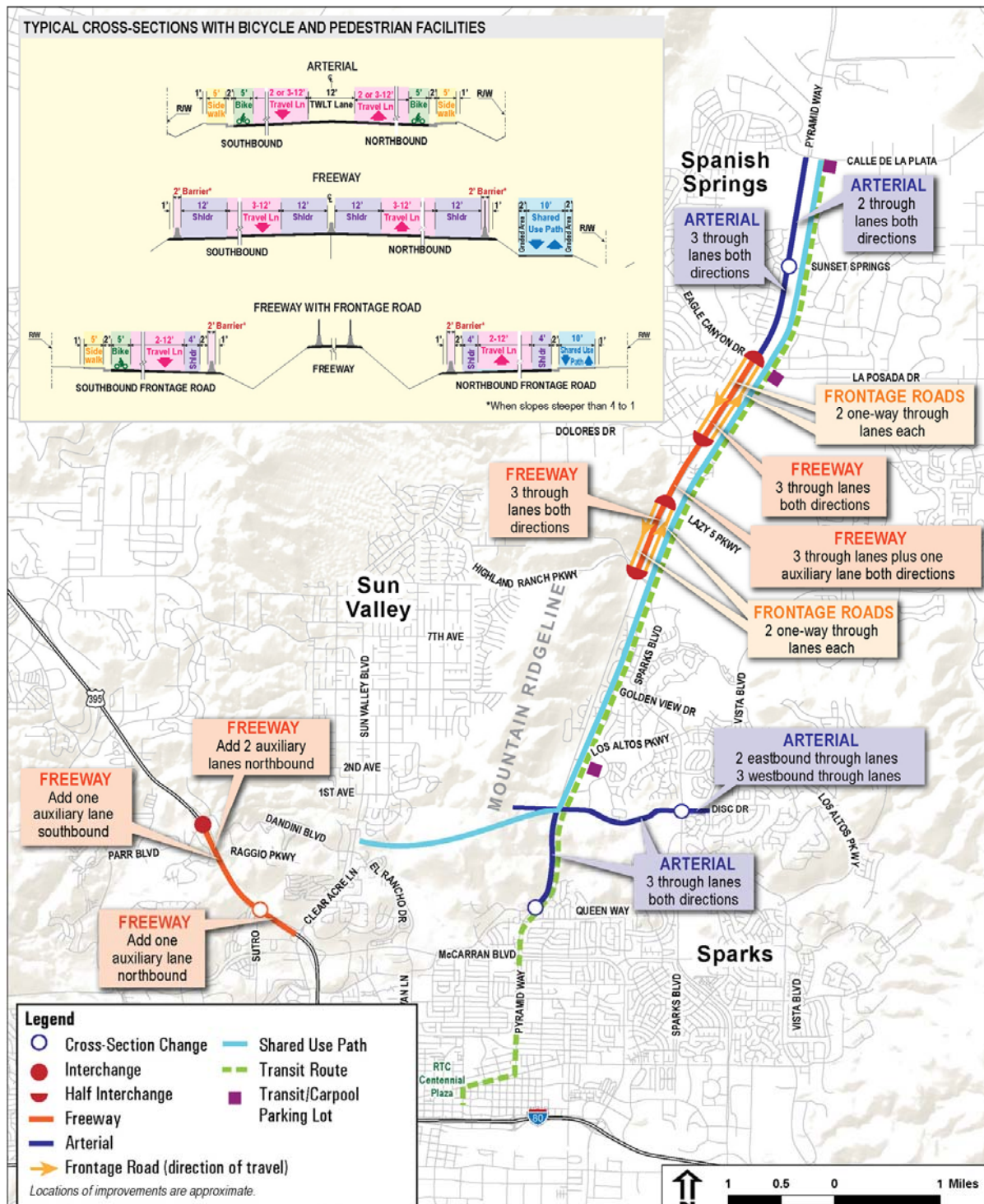


Figure 3 – Build Alternative 1

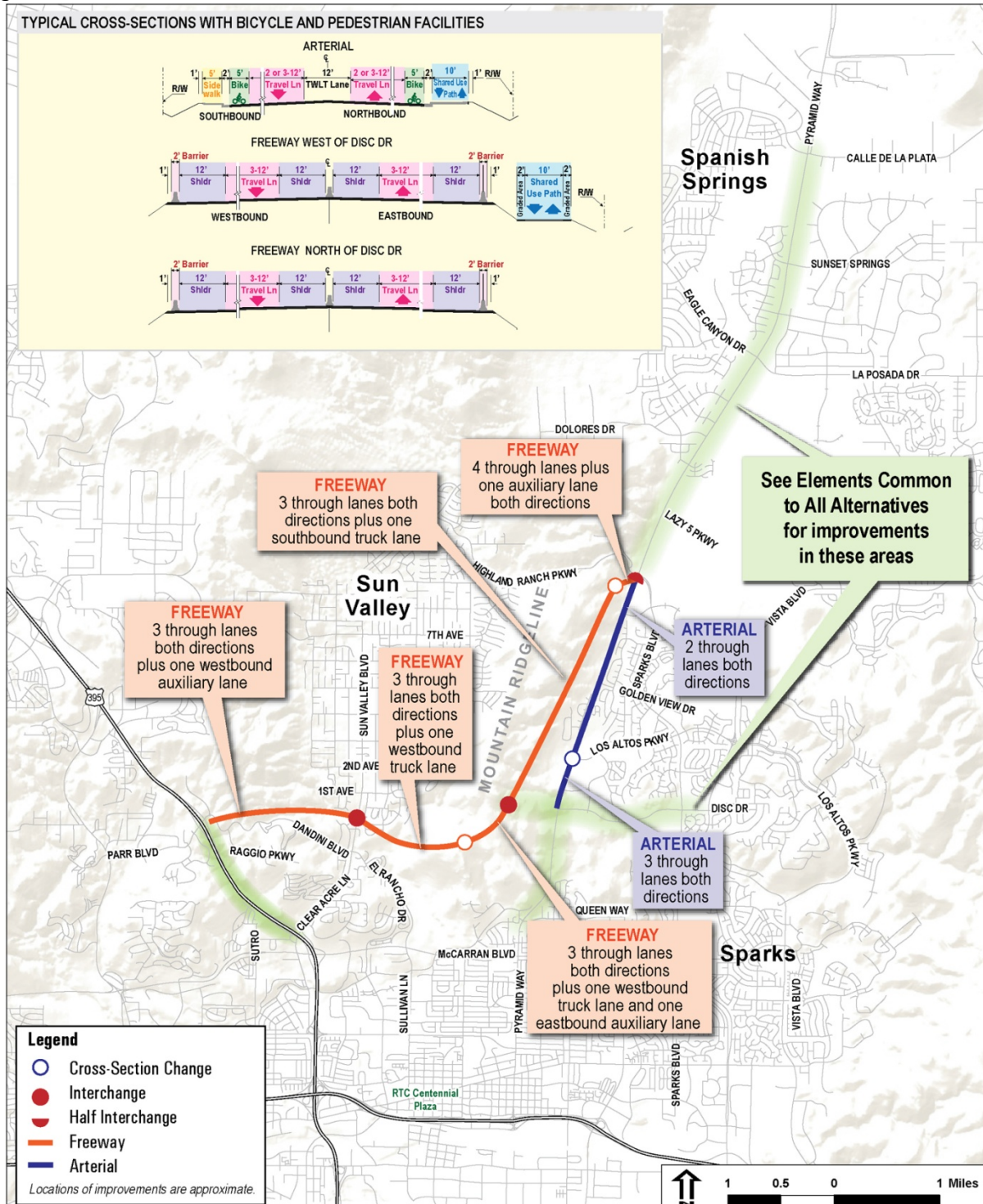


Figure 4 – Build Alternative 2

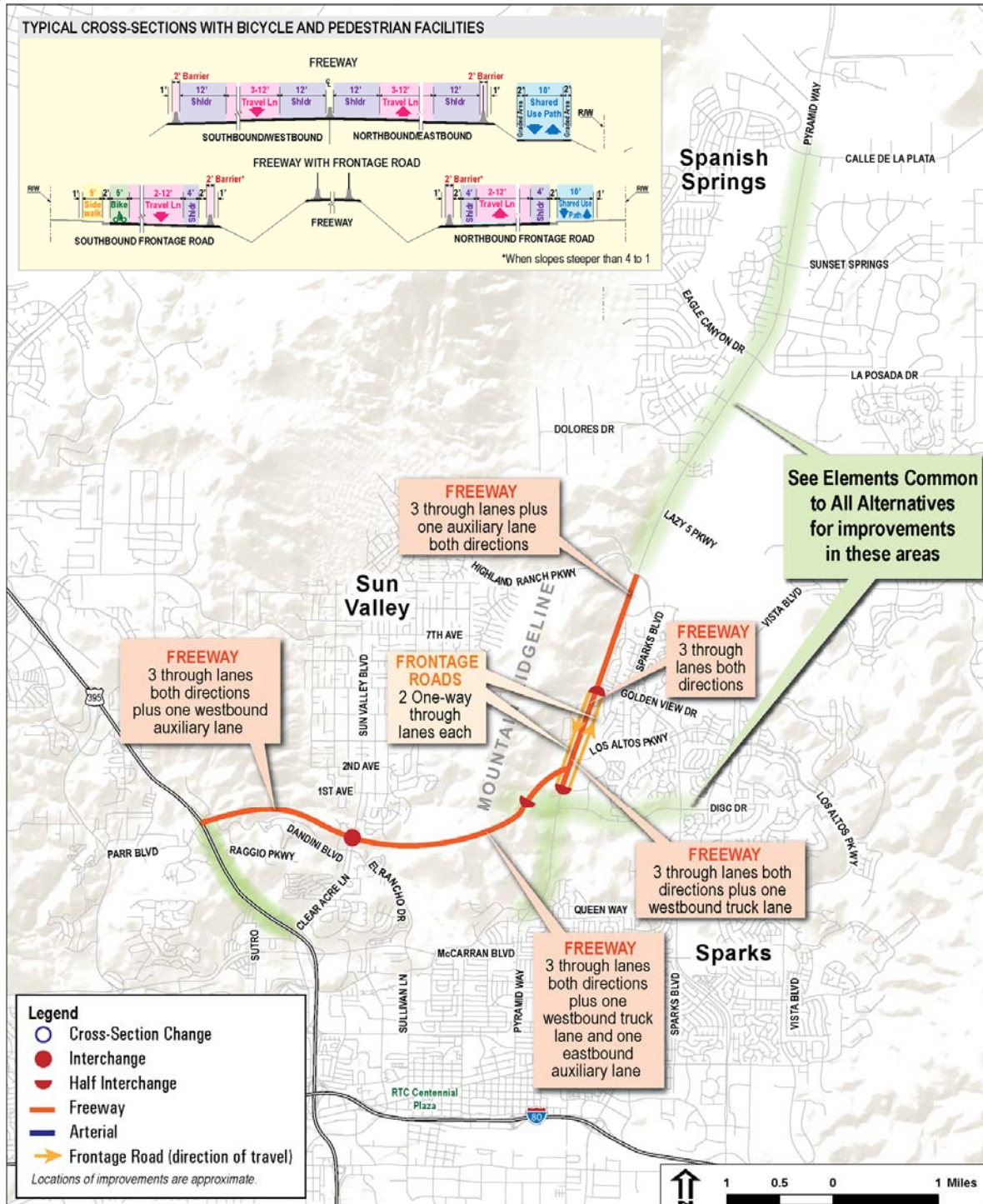


Figure 5 – Build Alternative 3

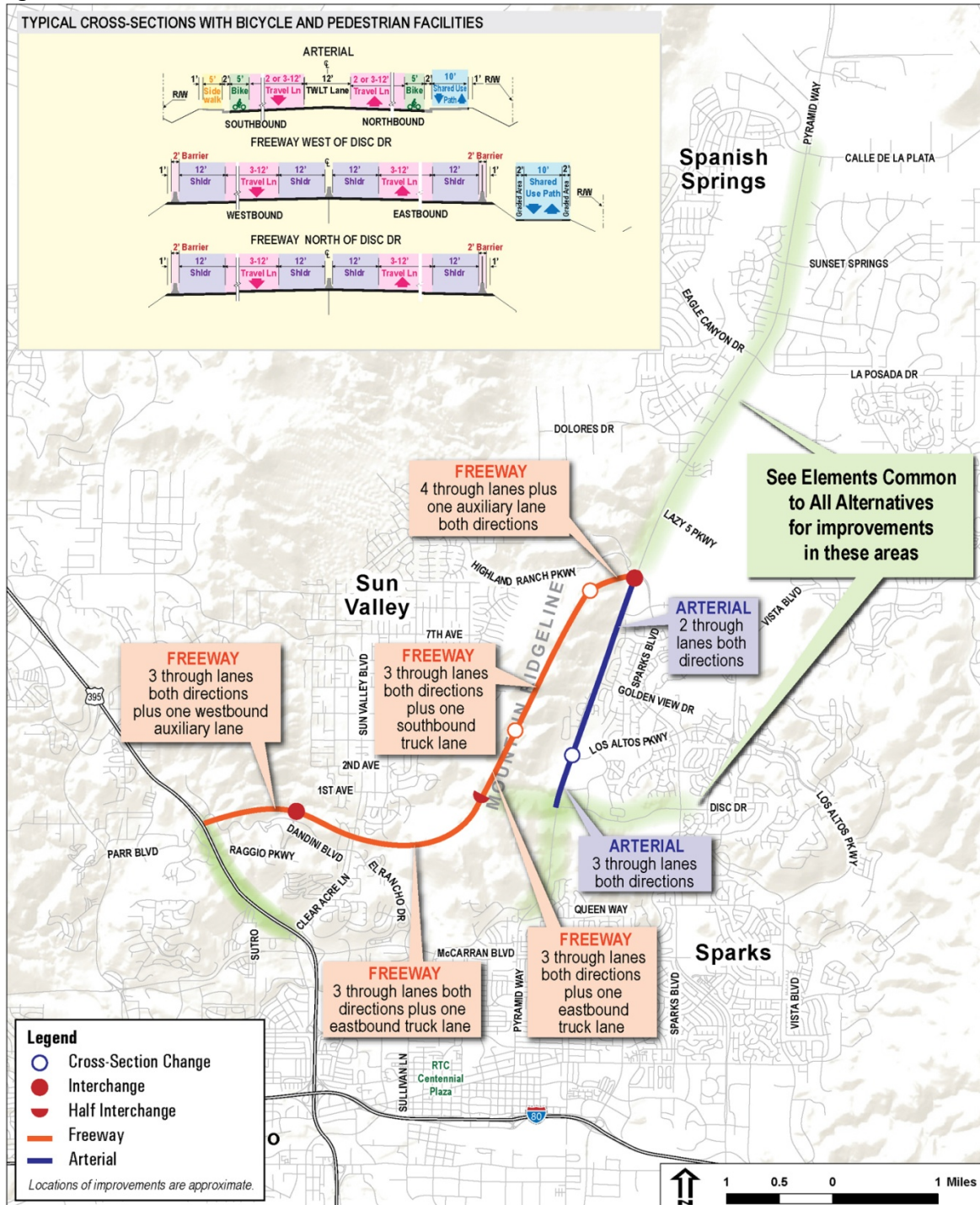


Figure 6 – Build Alternative 4

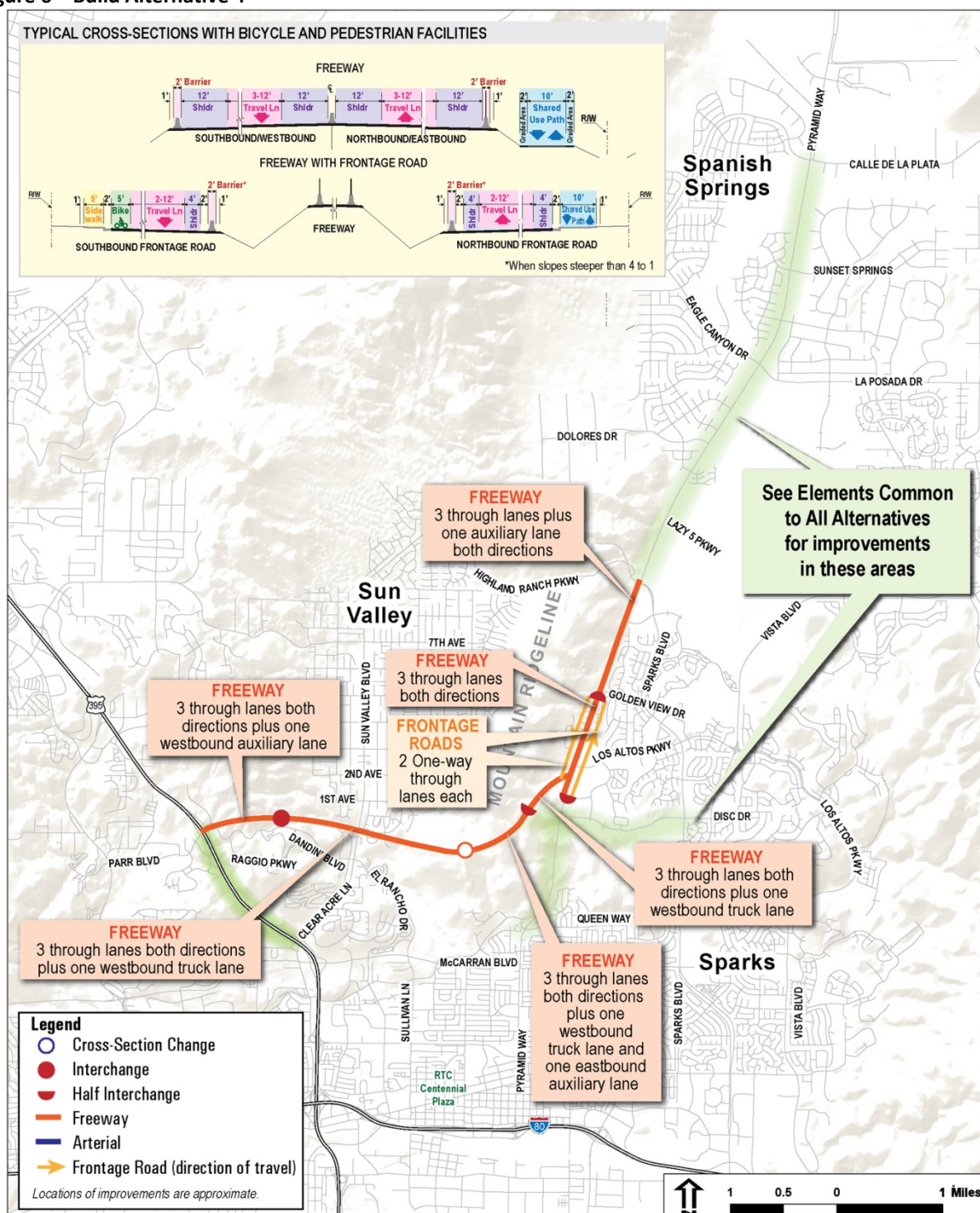
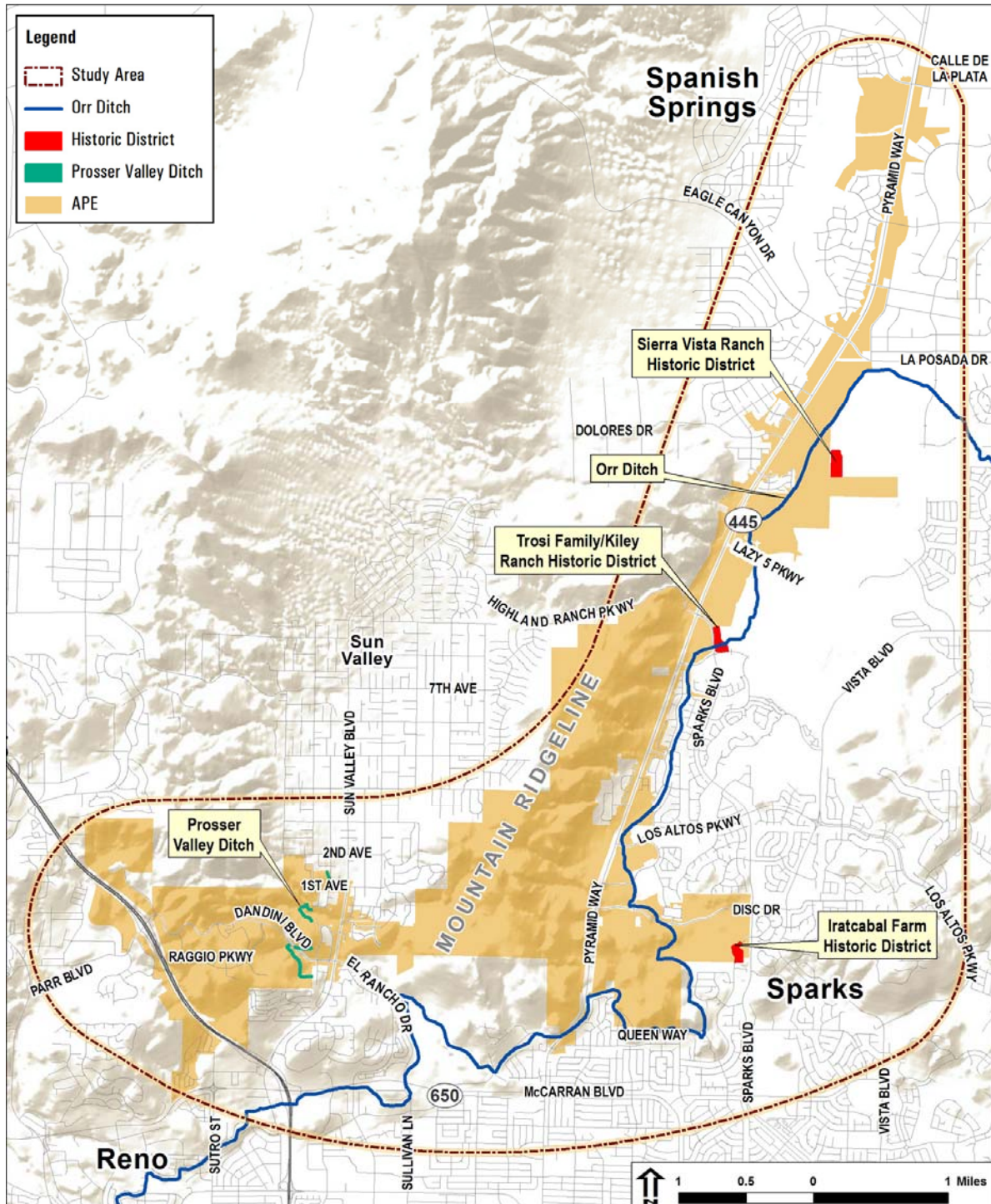


Figure 7 – NRHP Eligible Historic Properties and the Area of Potential Effect (APE)



Appendix B

Architectural Inventory: Pyramid Highway/US 395 Connection Project, Sparks, Washoe County, Nevada,
January 2012; Revised December 2012
and
Agency Correspondence

DRAFT

Appendix C

Resource Types Categorically Not Eligible

A. Isolated Artifact

A single artifact or pieces from a single artifact, i.e., 10 pieces of glass from a single bottle. An isolate artifact is considered single and unassociated when separated by 30 meters or more from any other artifact. For example, two flakes of the same or different raw material separated by 29 meters would be documented as a site. Ten pieces of glass from a single bottle spread across 31 meters would be an isolate. Isolates are not recorded on a site form, but are listed in a table designated by number, description, and location.

B. Isolated or Unassociated Feature

A single feature unassociated with other features or artifact scatters that are undateable; e.g., a prospect pit, a claim marker, an audit, or a shaft. An isolated or unassociated feature is considered single and unassociated when separated by 30 meters or more from any other feature or artifact. If these features are elements to a historic district, they are not isolated or unassociated. In addition, if an isolated feature is unique because of its construction (elaborate stonework claim marker) or distinctive qualities, the feature has to be evaluated for eligibility. Isolated features that have potential data (fire hearth) need to be evaluated for eligibility. Isolated or unassociated features need not be recorded on a site form, but are listed in a table designated by number, description, and location.

C. Post-1960 Cultural Resources

Cultural resource sites that post-date 1960 (or contain a majority of artifacts that post-date 1960) are not considered eligible for the purposes of NHPA compliance unless the site is of exceptional significance as defined in National Register B Bulletin 22, entitled *How to Evaluate and Nominate Potential National Register Properties That Have Achieved Significance Within the Last 50 Years*.

D. Unassociated Historic Artifact Scatters

This site type is categorically not eligible when it cannot be definitively associated with a specific historic theme as defined in the *Nevada Comprehensive Preservation Plan* (1991). One example of this site type is a single episode roadside refuse deposit.

Unassociated artifact scatters will be considered categorically ineligible with the submission of the following information:

1. A minimal level of archival research does not reveal a possible association. The feature or site in question may not be depicted on the following documents:
 - a. General Land Office map (provide date);
 - b. Land Status map;
 - c. Mineral Survey records;
 - d. Nevada State Museum records;
 - e. State Water Engineer's records;
 - f. 15 minute Quadrangle (provide date); or

g. Local city and county records.

2. A brief justification for this determination will be included in the eligibility section of the report and will address the following topics:

- a. location and type of nearest recorded site; and
- b. location of the nearest known town, community, or historical development.

E. Linear Resources

Linear resources in isolation from other linear resources, archeological deposits, and buildings/structures are discussed below in this framework for categorical exemptions. Artifacts directly associated with that linear resource, such as an insulator for a telecommunication line is considered inclusive to that linear resource. If only a segment of the linear resource is present within the project area, and is determined ineligible (non-contributing), the remaining portions of the linear resource are considered unevaluated for the purposes of NHPA compliance.

1. **Roads/Trails:** If a road or trail is undateable, cannot be historically associated with a historic theme, lacks engineered features associated with the road or trail, and has been bladed, then that segment is considered not eligible under all criteria.

2. **Water Conveyance:** If a water conveyance system is undateable, cannot be historically associated with a historic theme, and lacks engineered features associated with the water conveyance feature, then that segment considered as not eligible under all criteria.

3. **Fences:** If a fence is undateable, lacks unique construction features, is constructed of metal T-posts and barbed wire, then that segment of the fence is considered not eligible under all criteria.

4. **Telecommunication lines (telegraph, telephone, power transmission):** If a telecommunication line is undateable, lacks unique engineered features associated with that segment of the telecommunication line, then that segment is considered not eligible under all criteria.



U.S. Department
of Transportation
**Federal Highway
Administration**

Nevada Division

June 19, 2013

705 N. Plaza Street, Suite 220
Carson City, NV 89701
Phone 775 687-1204
Fax 775 687-3803

In Reply Refer To:
HENV-NV

Ms. Carol Legard
Federal Highway Administration Liaison
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue NW, Suite 807
Washington DC 20004

Subject: Pyramid Highway/US 395 Connection Project, Washoe County, Nevada
FHWA-NV-EIS-12-02-D; NDOT Project No.: 73390/73391

Dear Ms. Legard:

The Federal Highway Administration (FHWA), in cooperation with the Regional Transportation Commission of Washoe County (RTC) and the Nevada Department of Transportation (NDOT) is preparing an Environmental Impact statement (EIS) for the proposed improvements to Pyramid Way (SR 445) and to construct a new corridor from Vista Boulevard to US 395 in Washoe County, Nevada. FHWA and the State Historic Preservation Office (SHPO) have agreed that the proposed undertaking will result in an Adverse Effect to the Prosser Valley Ditch, which was determined eligible for listing on the National Register of Historic Places. As such, FHWA invites you to participate in the Section 106 process for this project.

In the event that historic and culturally significant resources cannot be fully determined before completion of the Environmental Impact Statement (EIS) process, FHWA has prepared a Programmatic Agreement (PA) among the SHPO, NDOT, RTC, and Reno-Sparks Indian Colony that outlines steps to follow after the EIS process to consider the project's effects to these resources. FHWA invites you to participate in the PA. I have enclosed a copy of the current draft for your review and consideration.

As you requested in your May 2, 2013 email, I have enclosed a summary of background information, per 36 CFR 800.11, that describes the proposed undertaking, Federal involvement, area of potential effect, steps taken to identify historic properties, description of the affected properties, the undertaking's effects on historic properties, copies of views provided by the SHPO and consulting parties, and the latest draft copy of the Draft Environmental Impact Statement (DEIS).

If you have any questions, please contact me at 775-687-1231.

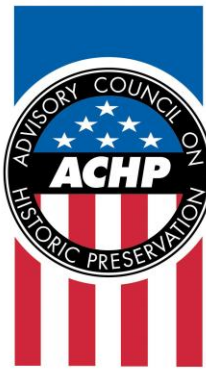
Sincerely,



Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures: Draft Programmatic Agreement
Historic Resources Background Information
Architectural Inventory: Pyramid Highway/US 395 Connection Project, Sparks, Washoe County, Nevada and HRIF Forms (Western Cultural Resource Management, Inc. January, 2012; revised December 2012).
Draft EIS

cc: C. Cliff Creger, NDOT
cc: Chris Young, NDOT
cc: Greg Novak, FHWA
cc: Doug Maloy, RTC
cc: Rebecca Palmer, SHPO
cc: Jim Clarke, Jacobs



Preserving America's Heritage

July 26, 2013

Abdelmoez A. Abdalla
Environmental Program Manager
FHWA - Nevada Division
705 N. Plaza Street, Suite 220
Carson City, NV 89701

Ref: *Proposed Pyramid Highway / US 395 Connection Project*
Washoe County, Nevada
FHWA-NV-EIS-12-02-D; NDOT Project No. 73390/73391

Dear Mr. Abdalla:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Programmatic Agreement (PA), developed in consultation with the Nevada State Historic Preservation Office (SHPO) and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the PA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Najah Duvall-Gabriel at 202 606-8585 or at ngabriel@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

**Appendix A:
Agency Coordination**

Tribal Coordination



U.S. Department
of Transportation
Federal Highway
Administration

705 North Plaza St. Suite 220
Carson City, NV 89701

April 1, 2008

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Pyramid Highway-US 395 Connection Environmental Impact Statement
Participating Agency Invitation

US395

Mr. Mervin Wright, Chairperson
Pyramid Lake Paiute Tribe
P.O. Box 256
Nixon, NV 89424

Dear Mr. Wright:

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Washoe County Regional Transportation Commission (RTC), is initiating an environmental impact statement (EIS) for the proposed Pyramid Highway-US 395 Connection project. The purpose of the proposed project is to address regional mobility, congestion, and safety challenges faced by motorists and pedestrians that travel Pyramid Highway to Spanish Springs and Pyramid Lake. The proposed study area extends 7.7 miles along Pyramid Highway from Queen's Way north to Calle de la Plata Drive. It also includes an area extending 4.5 miles west from Vista Boulevard to US 395 near the Parr/Dandini Interchange. A map of the proposed study area is included for your review.

The proposed project is located in an area that may be of interest to the Pyramid Lake Paiute Tribe. With this letter, we extend your Tribe an invitation to become a participating agency with FHWA, NDOT, and RTC in the development of the EIS for the subject project. This designation does not imply that your Tribe either supports the proposal or has any special expertise with respect to evaluation of the proposed project.

Pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the proposed project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the proposed project. We suggest that your Tribe's role in the development of the above project should include the following as they relate to your area of expertise:

1. Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis.
2. Participate in coordination meetings and joint field reviews as appropriate.

**AMERICAN
ECONOMY**

3. Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your Tribe on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

For your review, we have included a copy of the coordination plan developed for this project. The coordination plan details the elements and expectations discussed in this letter, and lists the other agencies who have been invited to participate in this process.

In addition, we invite you to attend the agency scoping meeting and become a member of the Technical Advisory Committee (TAC) as described below.

Agency scoping meeting:

You are invited to attend an agency scoping meeting on **April 16th, 2008 from 9:00 a.m. to 11:00 a.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431** (see enclosed map).

If you are unable to attend the agency scoping meeting, please note that a public information meeting will be held on **April 15, 2008 from 4:00 p.m. to 7:00 p.m. at the Lazy 5 Community Center, 7100 Pyramid Highway, Sparks, Nevada.**


TAC meeting:

Participation on the TAC will enable you to receive periodic project updates and work collaboratively with local, state, and federal stakeholders toward a successful project. The TAC is scheduled to meet on the 3rd Thursday of every other month. The TAC meeting in June is scheduled for **June 19, 2008 from 1:30 p.m. to 3:30 p.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431.**

Please respond to me in writing with an acceptance or denial of the invitation to be a participating agency by May 1, 2008. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact me at (775) 687-1231.

Thank you for your cooperation and interest in this proposed project.

Sincerely,



Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures

cc: Steve Cooke, NDOT
Sabra Gilbert-Young, NDOT
Doug Maloy, RTC



U.S. Department
of Transportation
**Federal Highway
Administration**

705 North Plaza St. Suite 220
Carson City, NV 89701

April 1, 2008

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Pyramid Highway-US 395 Connection Environmental Impact Statement
Participating Agency Invitation

US395

Mr. Arlan Melendez, Chairperson
Reno-Sparks Indian Colony
98 Colony Road
Reno, NV 89502

Dear Mr. Melendez:

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Washoe County Regional Transportation Commission (RTC), is initiating an environmental impact statement (EIS) for the proposed Pyramid Highway-US 395 Connection project. The purpose of the proposed project is to address regional mobility, congestion, and safety challenges faced by motorists and pedestrians that travel Pyramid Highway to Spanish Springs and Pyramid Lake. The proposed study area extends 7.7 miles along Pyramid Highway from Queen's Way north to Calle de la Plata Drive. It also includes an area extending 4.5 miles west from Vista Boulevard to US 395 near the Parr/Dandini Interchange. A map of the proposed study area is included for your review.

The proposed project is located in an area that may be of interest to the Reno-Sparks Indian Colony (RSIC). With this letter, we extend RSIC an invitation to become a participating agency with FHWA, NDOT, and RTC in the development of the EIS for the subject project. This designation does not imply that RSIC either supports the proposal or has any special expertise with respect to evaluation of the proposed project.

Pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the proposed project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the proposed project. We suggest that RSIC's role in the development of the above project should include the following as they relate to your area of expertise:

1. Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis.
2. Participate in coordination meetings and joint field reviews as appropriate.

**AMERICAN
ECONOMY**

3. Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of RSIC on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

For your review, we have included a copy of the coordination plan developed for this project. The coordination plan details the elements and expectations discussed in this letter, and lists the other agencies who have been invited to participate in this process.

In addition, we invite you to attend the agency scoping meeting and become a member of the Technical Advisory Committee (TAC) as described below.

Agency scoping meeting:

You are invited to attend an agency scoping meeting on **April 16th, 2008 from 9:00 a.m. to 11:00 a.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431** (see enclosed map).

If you are unable to attend the agency scoping meeting, please note that a public information meeting will be held on **April 15, 2008 from 4:00 p.m. to 7:00 p.m. at the Lazy 5 Community Center, 7100 Pyramid Highway, Sparks, Nevada.**

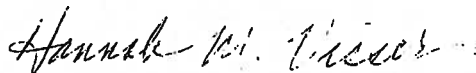
TAC meeting:

Participation on the TAC will enable you to receive periodic project updates and work collaboratively with local, state, and federal stakeholders toward a successful project. The TAC is scheduled to meet on the 3rd Thursday of every other month. The TAC meeting in June is scheduled for **June 19, 2008 from 1:30 p.m. to 3:30 p.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431.**

Please respond to me in writing with an acceptance or denial of the invitation to be a participating agency by May 1, 2008. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact me at (775) 687-1231.

Thank you for your cooperation and interest in this proposed project.

Sincerely,



Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures

cc: Steve Cooke, NDOT
Sabra Gilbert-Young, NDOT
Doug Maloy, RTC



U.S. Department
of Transportation
Federal Highway
Administration

705 North Plaza St. Suite 220
Carson City, NV 89701

April 1, 2008

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Pyramid Highway-US 395 Connection Environmental Impact Statement
Participating Agency Invitation

US395

Mr. Waldo W. Walker, Chairperson
Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, NV 89410

Dear Mr. Walker:

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Washoe County Regional Transportation Commission (RTC), is initiating an environmental impact statement (EIS) for the proposed Pyramid Highway-US 395 Connection project. The purpose of the proposed project is to address regional mobility, congestion, and safety challenges faced by motorists and pedestrians that travel Pyramid Highway to Spanish Springs and Pyramid Lake. The proposed study area extends 7.7 miles along Pyramid Highway from Queen's Way north to Calle de la Plata Drive. It also includes an area extending 4.5 miles west from Vista Boulevard to US 395 near the Parr/Dandini Interchange. A map of the proposed study area is included for your review.

The proposed project is located in an area that may be of interest to the Washoe Tribe of Nevada and California. With this letter, we extend your Tribe an invitation to become a participating agency with FHWA, NDOT, and RTC in the development of the EIS for the subject project. This designation does not imply that your Tribe either supports the proposal or has any special expertise with respect to evaluation of the proposed project.

Pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the proposed project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the proposed project. We suggest that your Tribe's role in the development of the above project should include the following as they relate to your area of expertise:

1. Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis.
2. Participate in coordination meetings and joint field reviews as appropriate.

**AMERICAN
ECONOMY**

3. Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your Tribe on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

For your review, we have included a copy of the coordination plan developed for this project. The coordination plan details the elements and expectations discussed in this letter, and lists the other agencies who have been invited to participate in this process.

In addition, we invite you to attend the agency scoping meeting and become a member of the Technical Advisory Committee (TAC) as described below.

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You are invited to attend an agency scoping meeting on **April 16th, 2008 from 9:00 a.m. to 11:00 a.m. at the NDOT District 2 Office, 310 Galletti Way Sparks, NV 89431** (see enclosed map).

If you are unable to attend the agency scoping meeting, please note that a public information meeting will be held on **April 15, 2008 from 4:00 p.m. to 7:00 p.m. at the Lazy 5 Community Center, 7100 Pyramid Highway, Sparks, Nevada.**

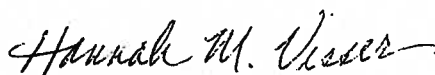
TAC meeting:


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Please respond to me in writing with an acceptance or denial of the invitation to be a participating agency by May 1, 2008. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact me at (775) 687-1231.

Thank you for your cooperation and interest in this proposed project.

Sincerely,



 Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures

cc: Steve Cooke, NDOT
Sabra Gilbert-Young, NDOT
Doug Maloy, RTC

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

FEB 12 2009

Subject: Pyramid Highway/US 395 Connector Project EIS

Return to: Mr. Abdelmoez Abdalla
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

From: Mr. Mervin Wright, Chairperson
Pyramid Lake Paiute Tribe
P.O. Box 256
Nixon, Nevada 89424

Reply: Please check one of the options below, or provide other comments, as appropriate.


☐ The Pyramid Lake Paiute Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction.

☒ The Pyramid Lake Paiute Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction. In addition, the Tribe requests that copies of environmental and cultural documents prepared for this project be forwarded to the following person:

Contact Person: Ben Aleck
Telephone Number: 775-574-1088

☒ The Pyramid Lake Paiute Tribe requests further consultation to address our concerns. Please contact the following person to discuss the matter further.

Contact Person: Mervin Wright Jr.
Telephone Number: 775-574-1000 x102

Signature: 

Title: Tribal Chairman

Date: 02/11/09



Meeting Minutes

Project: Pyramid Highway/US 395 Connector
Purpose: RSIC Meeting
Date Held: January 19, 2010
Location: RSIC Offices--Sparks, NV
Attendees: **RSIC:** Scott Nebesky, Steve Moran, Michon Eben
NDOT: Sabra Gilbert-Young, Chris Young
FHWA: Abdelmoez Abdalla
RTC: Doug Maloy
CH2M Hill: Cindy Potter
WCRM: Ed Stoner
Jacobs: Jim Clarke, Bryan Gant
Copies: Attendees, File

Discussion

- 1) Scott Neblesky started the meeting by indicating the Tribe has three primary concerns:
 - a) Cultural resources
 - b) The 22-acre parcel the Tribe has in trust on the southeast corner of Pyramid and Eagle Canyon;
 - i) Parcel is zoned General Commercial.
 - ii) Parcel has recently been improved through utility extensions and drainage improvements.
 - c) Eagle Canyon serving as a through corridor, resulting in increased traffic and associated impacts to the Tribe's Hungry Valley community.
 - 2) Bryan Gant provided an overview of the study and remaining alternatives under consideration.
 - 3) Jim Clarke and Ed Stoner provided an overview of EIS and Section 106 status and issues:
 - a) WCRM has conducted a file search on the initial Area of Potential Effect (APE);
 - b) The file search did not result in any notable 'red flags';
 - c) WCRM has been inventorying structures greater than 40 years old on Pyramid Highway in the study area;
 - d) WCRM will soon start evaluating these structures and others in the study area for eligibility for the National Register of Historic Places (NHRP);
 - e) The study team will set up a meeting with the State Historic Preservation Officer (SHPO); Sabra will let Michon know when this meeting will be held.
-

- 4) Cindy Potter presented different interchange options being considered at the Eagle Canyon intersection. These options will be evaluated and refined once detailed traffic data is available. The group discussed potential effects of these options on the Tribe's ability to develop this parcel;
 - a) The Tribe expressed concern about noise walls being built between Pyramid Highway and their parcel. These barriers could reduce visibility and ease-of-access.
 - i) Jim said that the Jacobs noise specialist is in the field this week conducting noise monitoring. Jim will check with her on the likelihood that noise walls would be needed for the RSIC property.
 - b) Scott described the Tribe's intent to develop this parcel to provide employment opportunities for Hungry Valley residents—many of whom are low income;
 - c) The Tribe representatives asked about possible options to mitigate for economic impacts to the parcel;
 - d) The Pyramid Team indicated that mitigation options are typically identified based on the results of the economic analysis conducted for the Draft EIS, with greater detail on mitigation provided as part of the Final EIS. The economic analysis will be mostly qualitative, as parcel-specific, quantitative analyses are typically not conducted for NEPA documents.
 - e) Jim will provide the economic analysis methods to the RSIC representatives. Once the interchange options have been refined and the RSIC has an opportunity to review the proposed methods, FHWA and the Tribe can further discuss the approach to assess economic impacts to the RSIC parcel.
- 5) The Pyramid Team will research the RTC's current Long Range Plan to check on if improvements to Eagle Canyon are included in the plan.

Action Items

1. The study team will set up a meeting with the State Historic Preservation Officer (SHPO); Sabra will let Michon know when this meeting will be held.
2. Jim will provide the economic analysis methods to the RSIC representatives.
3. Jim will check with the noise specialist on the likelihood that noise walls would be needed for the RSIC property.

Meeting Minutes

Project: Pyramid Highway/US 395 Connection EIS Study

Purpose: Reno-Sparks Indian Colony (RSIC) Coordination Meeting

Date Held: June 17, 2011

Location: RSIC Offices

Attendees:

CH2M HILL Cindy Potter
Jacobs: Bryan Gant, Jim Clarke
NDOT: Cliff Creager, Scott Nebeskey, Sabra Gilbert-Young
RSIC Michon Eben, Steve Moran
RTC: Doug Maloy,

Discussion

1. Project Overview/Background
2. Bryan Gant provided overview and discussed DEIS alternatives.
3. Cindy Potter provided an overview of Eagle Canyon Interchange and effects to RSIC property.
4. Scott Nebeskey asked whether studies have been conducted on economic impact from one-way frontage roads.
 - ▶ Cindy said the FHWA doesn't prefer two-way frontage roads.
 - ▶ Scott asked how much will you impact buildings at southwest corner?
5. Jim will check on noise analysis at Robert Banks.
6. Scott any public art or landscape theme?
 - ▶ Jimmy and Bryan will look at landscape theme for Preferred Alternative.
7. Scott asked to what extent would EIS consider traffic increases along Eagle Canyon?

MEETING MINUTES

Reno-Sparks Indian Colony (RSIC) Coordination Meeting
June 17, 2011

- ▶ Model would determine general project traffic future volumes; more detailed traffic developed only at interchange area.
 - ▶ Model factor in transportation projects in RTC's illustrative plan; only in fiscally-constrained plan.
8. RTC updating RTP (Regional Trip Plan) now.
9. Cindy will provide preliminary property impact estimates.
10. BIA contact re: property acquisition of easement.
- 11.

Summary of Action Items	
Action Item	Responsible Party
▶ Does FHWA have the right to take trust land?	
▶ Phoenix — Contact BIA Re:	Scott Nebeskey
▶ Agreement with Ed to provide historic data to Sabra.	
▶ Provide Steve with results of wetlands field analysis	
▶ Provide traffic input analysis	
▶ Will look into RTC role do general economic impact analysis on parcel.	
▶ Prepare Alternative Description: — Include No Action — Planning assumptions — Supplementals	Bryan Gant
▶ Prepare maps of 4 Alternatives: — Facility description	Chris Primus
▶ How to handle other modes/supplements?	Jim Clarke
▶ Determine CEVP timeframe	Bryan Gant
▶ BMP rejects per NDOT	Martinovich
▶ Methods Doc. Review submit	Jim Clarke

MEETING MINUTES

Reno-Sparks Indian Colony (RSIC) Coordination Meeting
June 17, 2011

Summary of Action Items	
Action Item	Responsible Party
▶ Induced growth discussion of locals	Jim Clarke
▶ “ “ “	Jim Clarke/Bryan Gant
▶ Have R/W Group Review Parcels	McDermott
▶ Send out/Review Rendering Proposal	Bryan Gant
▶ Run/106Process by BLM	Jim Clarke
▶ Coordination corridor management plan	Primus

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Meeting Minutes

Project: Pyramid Highway/US 395 Connection EIS Study

Purpose: Reno-Sparks Indian Colony (RSIC) Coordination Meeting

Date Held: December 9, 2011

Location: RSIC Offices

Attendees:

RSIC	Michon Eben, Steve Moran Cliff Creager, Scott Nebeskey,
FHWA:	Del Abdulla
NDOT:	Sabra Gilbert-Young
RTC:	Doug Maloy,
Jacobs:	Bryan Gant, Jim Clarke
CH2M HILL:	Cindy Potter

Discussion

1. Project Status update

- ▶ Jim provided update on administrative Draft EIS
- ▶ Summer 2012 for Public Review of Pyramid EIS

2. Section 106 Update

- ▶ Full archeological survey/site recordation will be conducted on preferred. Walk-over survey completed which did not reveal significant sites. Sabra and Michon expressed concern over only conducting recordation on preferred. Approach had been discussed at previous RSIC meeting and vetted with NDOT and FHWA prior to then. The team will share walkover survey summary with RSIC, if not provided previously.
- ▶ Draft Programmatic Agreement (PA) being prepared. Pre-draft complete. RSIC will be a participant. RSIC will provide a concurrent review of draft along with FHWA.
- ▶ SHPO does not have jurisdiction on Eagle Canyon parcel. RSIC is a THPO, therefore, THPO will be a concurring party.

MEETING MINUTES

Reno-Sparks Indian Colony (RSIC) Coordination Meeting

December 9, 2011

- ▶ Cliff will research whether RSIC should be a concurring or invited party now that Michon is THPO.
 - ▶ Could be a PA for SHPO and another for THPO, but probably be better as one document.
3. Discussion regarding DEIS alternatives and effects to RSIC parcel.
- ▶ June meeting with RSIC showed roadway design only. Now showing cut/fill, drainage, etc. Team sent graphic with these elements this past Fall to RSIC.
 - ▶ Concerns regarding the Eagle Canyon property – Right-of-Way takes and traffic impacts.
 - ▶ Site challenge is reduced footprint. Question becomes whether mitigation is appropriate and if so, what type of mitigation. Need information to make recommendation to tribal council. What are impacts to commercial potential?
 - ▶ Team would need to know more about plan. Per RSIC, still planned for strip commercial.
 - ▶ Jim indicated that team, as part of economic impact assessment, can drill down and take a harder look at Trust parcel. Final issue would be mitigation commitments. Possibility of exchange with another parcel. RSIC would prefer independent consultant for analysis of other similar properties for potential exchange.
 - ▶ Sewer line now in place. Other utilities in place to serve property expansion.
 - ▶ 24 acre Moana Nursery has 20 year lease. They plan a \$900K expansion. RSIC would like to resign Moana for long term lease for larger acreage.
 - ▶ Team to provide basic information on ROW process. Does Uniform Act apply to tribal property?
 - ▶ When does disclosure have to occur to potential property buyers/leasees?
 - ▶ Parcel development is not currently eminent. RSIC thinks interchange at Eagle Canyon may detract certain interests.
 - ▶ Can advance ROW purchase occur? Feds cannot tell tribe to stop work on their parcel.
 - ▶ No other issues beside economics.
 - ▶ Economic analysis can be done as part of relocation analysis.
4. RTP update underway.

MEETING MINUTES

Reno-Sparks Indian Colony (RSIC) Coordination Meeting
December 9, 2011

5. Need to contact BIA in Carson City–Athena Brown is point of contact (FHWA to contact).

Summary of Action Items	
Action Item	Responsible Party
▶ Research whether RSIC should be a concurring or invited party.	Cliff C.
▶ Send RSIC walk-over survey data.	Jacobs
▶ Send RSIC basic info on ROW process.	Jacobs
▶ Provide a map of the project area parcels for RSIC review.	Jacobs
▶ Contact BIA to engage in the conversation	Del A.

Meeting Minutes

Project: Pyramid Highway/US 395 Connection EIS Study

Purpose: BIA Coordination/Discuss RSIC Property Impacts

Date Held: January 31, 2012

Location: BIA Offices, Carson City, NV

Attendees:

BLM:	Jo Ann Hufnagle
BIA:	Amy Roberts, Roseanna Roberts, Suzette Claypool, Dan Allen, Mike Johnson (via conference call) Athena Brown
RSIC:	Steve Moran, Michon R. Eben, Scott Nebesky, Vicky Oldenburg,
RTC:	Doug Maloy
FHWA:	Abdelmoez Abdalla
NDOT:	Chris Young, Sabra Gilbert-Young
Jacobs:	Jim Clarke
CH2MHill:	Cindy Potter

Copies: Attendees, File 550

Summary of Discussion:

1. Project Status Update

- ▶ Sabra Gilbert-Young provided an overview of coordination with RSIC conducted to date.
- ▶ Study team provided study overview.
 - a. Discussed alternatives development process.
 - b. DEIS Status.
 - c. RSIC currently serves as a participating agency.
 - d. Cindy P. provided overview of alternatives' physical effect on RSIC parcel. Avoidance of any impacts would require realigning to the east and result in significant impacts to existing commercial properties on east side of Pyramid at Eagle Canyon and residential properties north and south of Eagle Canyon.
- ▶ ROW Issues

MEETING MINUTES
EIS Coordination Meeting
January 31, 20112

- a. Discussion regarding right of way effects to RSIC parcel at Pyramid/Eagle Canyon intersection:
 - b. Del A. explained that we're still early in the process, and therefore it's still very early to discuss ROW Issues. However, an idea that has emerged--wanted to discuss with BIA the possibility of "swapping" land with BLM.
 - c. Jo Ann H → not aware of specific process that would allow for this swap. BLM's updated Management Plan will consider lands for federal disposal. BLM RMP might be the means identify public lands for disposal that RSIC may be interested in acquiring in the future. However, BLM land in this area likely wouldn't have the same commercial potential.
 - d. Chris Y. → A relocation process/plan will be developed for the project as a whole. Trust land would be considered as a special condition in some respects. However, NDOT needs to avoid the appearance of preferential treatment for the tribe relative to other affected landowners. We can discuss issues further with NDOT ROW Division. (They were invited to meeting but could not attend due to conflicts). Jim C. will set up ROW Meeting.
 - e. What is process to acquire trust land? Mike Johnson: tribe would have to be compensated at fair market value. The Tribal Council would have to approve. Trust land can be condemned, but it's done very rarely. Has to be initiated by the federal government.
 - f. Just because there's suitable replacement property doesn't mean local government will approve future trust land.
- NEPA
- a. Need to contact BIA Phoenix office for any NEPA clearance needs for acquisition of trust land. Suzette Claypool can provide contact information
 - b. BIA invited to be a participating agency at onset of DEIS but no response received. Based on discussion, FHWA will invite BIA and RSIC to be consulting parties to the EIS. Jim → Will check on timelines for Administrative DEIS review that this involves.
 - c. Based on discussion, the Study team agreed to conduct an archaeological pedestrian survey for entire RSIC parcel.
- Economic Development
- a. Steve Moran described economic development plans for trust parcel. RSIC concerns regarding the Eagle Canyon property—Right-of-Way takes and access/traffic impacts.

MEETING MINUTES
EIS Coordination Meeting
January 31, 20112

- b. Site challenge to the RSIC is reduced footprint and impacts on ability to develop the property. Question becomes whether mitigation is appropriate and if so, what type of mitigation. Need information to make recommendation to tribal council. What are impacts to commercial potential?
- c. 24 acre Moana Nursery has 20 year lease. They plan a \$900K expansion. RSIC would like to re-sign Moana for long term lease for larger acreage.
- d. It's not just impacts to specific parcel; need to consider larger plan to provide employment opportunities to Hungry Valley.
- e. RSIC would prefer independent consultant for analysis of other similar properties for potential exchange. Steve Moran would like to have FHWA and NDOT pay for economic impact assessment. Del → would RTC or NDOT pay for this? Scott N. → doesn't BIA have any special funds for an economic study? Athena → will check with BIA NEPA/environmental staff on availability of funds.

Summary of Action Items	
Action Item	Responsible Party
Schedule meeting between Study team, NDOT ROW,	Jim C. (Jacobs)
Provide contact information for BIA NEPA staff.	Suzette Claypool (BIA)
Invite BIA and RSIC to be a consulting parties to the EIS.	Del A (FHWA)
Conduct an archaeological pedestrian survey for entire RSIC parcel.	Jim C. (Jacobs)
Check with BIA NEPA environmental staff on availability of funds for economic study	Athena Brown (BIA)
Check on timelines for Administrative DEIS review	Jim C. (Jacobs)

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Meeting Minutes

Project: Pyramid Highway/US 395 Connection EIS Study

Purpose: Reno-Sparks Indian Colony Coordination Regarding Tribal Parcel

Date Held: April 26, 2012

Location: RTC Offices, Reno, Nevada

Attendees:

FHWA	Del Abdalla
RSIC	Michon Eben, Scott Nebesky, Steve Moran, Vicky Oldenburg
BIA	Suzette Claypool
NDOT	Paul Saucedo
RTC	Doug Maloy
Jacobs	Bryan Gant, Jim Clarke and Misty Swan (via phone)
CH2M Hill	Cindy Potter

Copies: Attendees, File

Summary of Discussion:

1. The purpose of the meeting was to present the Nevada Department of Transportation's (NDOT's) right-of-way acquisition process, and discuss Reno-Sparks Indian Colony (RSIC) concerns and options for their parcel located near the Eagle Canyon/Pyramid Highway interchange, which would be affected by the project.
2. The meeting agenda and sign-in sheet are attached.
3. Bryan Gant began the meeting with an overview of the project status. The Administrative DEIS is currently under review by NDOT. After NDOT comments are addressed, the DEIS will be submitted to FHWA. Then the DEIS will be submitted to FHWA legal counsel and cooperating agencies for a 30-day review period. The DEIS will then be made available to the public for review. The Final EIS and a Record of Decision from FHWA are anticipated to be complete in early 2014. Project construction is expected to be phased, with construction likely starting in the southern portion no sooner than 2018. Construction in the northern portion, where the RSIC parcel is located, would likely start around 2030.
4. FHWA sent letters on March 29, 2012 to the Bureau of Indian Affairs (BIA) and the RSIC inviting them to participate as cooperating agencies on the project. A response accepting the invitation to be a cooperating agency is needed.
5. Jim Clarke provided an overview of the discussion at the previous meeting held with the RSIC on January 31, 2012. A figure was presented illustrating the project footprint at the Eagle Canyon/Pyramid Highway interchange and options for shifting the footprint. During that meeting there was discussion regarding the possibility of swapping the RSIC parcel with BLM land in another location. Initial thoughts were that there may not be BLM land in this general area that would be suitable for commercial development.

MEETING MINUTES

Meeting with Reno-Sparks Indian Tribe

April 26, 2012

BLM was unaware of a specific process for a land swap. Discussed FHWA inviting the BIA and RSIC to serve as cooperating agencies, and overview of economic development plans for the RSIC parcel and challenges for moving forward. Discussed that a separate economic impact analysis would be helpful to the RSIC, as well as more information on NDOT's right-of-way acquisition process.

6. Following summary of January meeting, it was discussed that there may be suitable BLM land with commercial potential available farther south in the study area. The land would not need to be located in the immediate area of the Eagle Canyon/Pyramid interchange. Scott Neblesky to provide Jim Clarke with potential locations. Jim Clarke will check with BLM regarding land in other areas identified for disposal in the current Resource Management Plan.
7. Paul Saucedo presented NDOT's process for right-of-way acquisition.
 - Need sufficient level of design (approximate 60 percent design) to determine exact right-of-way required. Because of project phasing, the 60 percent design for northern portion is years out.
 - Notify property owner of need for right-of-way.
 - Hire appraiser to conduct appraisal.
 - When appraisal complete, hire another appraiser to review.
 - Appraisal considers use of property and zoning. Determines highest best use of land being acquired.
 - For partial acquisition, appraisal evaluates continued viability of land use. The appraiser performs a before and after analysis in the appraisal report to determine any damages to the remainder property, in the after condition.
 - Once the appraisal and the appraisal review are complete these two documents will be used to set just compensation for the property. Once just compensation is set then a representative will be assigned to meet with the property owner to present a letter of offer for the property needed.
 - Relocation assistance is offered to all businesses, if the business must move as a result of the acquisition of the property. Relocation assistance is provided in finding replacement sites, and paying for moving and re-establishment expenses.
 - For tribal land, no condemnation is done – a deal must be negotiated. During this process, all options are on the table, including modifying the project design. NDOT wants a win/win situation for both parties.
8. RSIC is concerned about how to address uncertainty for tenants.
9. It was discussed that the Environmental Impact Statement (EIS) is a planning document. The project build-out could be 20 years out and the needs and corresponding design would need to be re-evaluated. It is not practical to make assumptions on right-of-way needs for the purposes of determining impacts to individual parcels. Jim explained that the EIS will address physical impact, access, and circulation changes, etc. Separate from the EIS, the team could possibly prepare a whitepaper that contains information such as increased traffic volumes that could be useful to RSIC and BIA.
10. What would BIA's role be? BIA will look at EIS information and review. The BIA will take into account the RSIC's plans for the parcel in their review.

MEETING MINUTES

Meeting with Reno-Sparks Indian Tribe

April 26, 2012

11. RSIC is concerned about impacts from both right-of-way acquisition and change in access. Paul and Doug reiterated that we are still in the planning stages and right-of-way determination and access would not be known until a 60 percent design of a phase in this location occurs.
12. Based on the increase in traffic volumes projected by this study, there would be some project benefits to the RSIC parcel. The RSIC parcel would potentially be in a better position than other parcels in the interchange area because the limited access from the proposed freeway would concentrate commercial development in interchange areas. Development would have more exposure. The RSIC representative said this information would be helpful.
13. Regarding RSIC's request for RTC or NDOT to fund an economic analysis, concerns were expressed that an economic analysis of the parcel at this stage would require that too many assumptions be made and would not result in a useful analysis. Until we know exactly what will be constructed, it would only be speculative.
14. RSIC concerns related to viability of property in 20 years. What tenants are viable for the site – one large tenant or several small tenants? Property owners can and do develop their properties as planned. If a project moves forward and right-of-way is required and changes in access occur, the impacts resulting from those steps are all factored into the process of determining just compensation. When appraised, NDOT evaluates the before and after condition of the parcel, which is difficult to do now if project construction is 20 to 30 years out. Some concepts have been developed for the parcel. RSIC can provide (and have provided) more detailed layout of plans for parcel. Could evaluate what types of commercial development could accommodate that size of parcel and check commercial zoning to determine how much parking is required.
15. Could an appraisal be advanced? Paul indicated that an appraisal cannot be performed because the right of way has not been determined. We are in the planning process and the discussion of an appraisal at this point in time is premature.
16. The EIS can be re-evaluated. Decisions in the EIS can change. That is why appraisal is not done until 60 percent design is complete.
17. Timing creates issues for RSIC – typically have 25-year term leases on parcel, so a 20-year timeframe for project construction creates problem for the RSIC and tenants. Need information on project timing to include in any lease.
18. The EIS includes footprint of right-of-way anticipated. EIS presents general right-of-way, traffic, and environmental impacts.
19. RSIC asked why the tribe is being involved now if you are just going ahead with the project. What is the tribe to sign-off on? This parcel is a significant property to the tribe. Can they depend on property for employment for Hungry Valley residents and revenue? The RSIC is involved in the process because they are a sovereign nation, a parcel owner, a participating agency, and (soon) a cooperating agency. In those roles, the RSIC will review the Draft and Final EIS documents and comment on the information and the process.
20. Is there sufficient information now for the RSIC to comment on? The EIS provides information on traffic access, traffic, remnant property and viability of planned

MEETING MINUTES

Meeting with Reno-Sparks Indian Tribe

April 26, 2012

development and environmental resources such as noise, visual, etc. What additional information would the RSIC need to make comments?

21. Information described above is what RSIC anticipated would be included in an economic analysis. Discussion was that perhaps the RSIC could prepare an outline of specifics they want to know and submit to the BIA.
22. How will BIA handle impacts to the tribe? BIA would:
 - a. provide technical assistance to the tribe.
 - b. involve their economic and real estate people.
 - c. engage their regional office.
23. Need to engage BIA's NEPA staff - Amy Heuslein and Garry Cantley. Need to engage them to determine if there are any actions.
24. Suzette is local coordinator and reviews documents, but it is the BIA regional office that approves documents.
25. It was discussed that we will look at impacts and provide to the BIA and tribe would draw their own conclusions – not FHWA.
26. RSIC asked for a schematic of the interchange. Must keep in mind regarding footprint – cannot set right-of-way based on that. Schematic will show area of potential effect. Will provide footprint with caveat that this is best information we have at this time.

Action Items:

Summary of Action Items	
Action Item	Responsible Party
Follow-up on acceptance by BIA and RSIC of FHWA invitation to serve as cooperating agencies.	FHWA
Contact BLM regarding land within study area identified for disposal in the current RMP as option for land swap.	Jacobs
Develop whitepaper presenting potential impacts to RSIC parcel.	Jacobs (with NDOT assistance)
Send schematic of interchange to RSIC	Jacobs

Reno-Sparks Indian Colony Coordination Meeting

April 26, 2012

AGENDA:

- 1. Introductions**
- 2. Project Status**
- 3. Overview of January 31 Meeting/Action Item Review**
- 4. NDOT Right-of-way Acquisition Process**
 - a. Factors considered in appraisal
 - b. Trust land acquisition
 - c. Possible timeframe for project right-of-way acquisition and construction
- 5. Reno-Sparks Indian Colony concerns / options for parcel**
 - a. Economic Analysis
 - b. Proceeding with planned development
 - c. Disclosure to potential property buyers/leasees
 - d. Identifying suitable property replacement
 - e. Information Needed for Tribal Counsel
- 6. Next Steps**

SIGN-IN SHEET

Reno-Sparks Indian Colony Coordination Meeting – April 26, 2012 (9:30 A.M.)

Pyramid Highway and US 395 Connection Project

PLEASE PRINT

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From: Clarke, Jim O.
Sent: Friday, December 28, 2012 11:34 AM
To: 'Scott Nebesky' (snebesky@rsic.org); 'Suzette.Claypool@bia.gov' (Suzette.Claypool@bia.gov)
Cc: Abdalla, Del; Doug Maloy; Gilbert-Young, Sabra E (SGilbert-Young@dot.state.nv.us); Gant, Bryan; Swan, Misty
Subject: Pyramid/395 EIS: Memo to RSIC and BIA
Attachments: Memo RSIC Parcel Impacts - final 122812.doc

Hi Scott and Suzette,

We're following up on an action item from our last discussion regarding the Pyramid Highway and 395 Connector study.

On behalf of the Federal Highway Administration (FHWA), I am sending the attached memo from FHWA that summarizes the potential impacts and benefits that may occur to the Reno-Sparks Indian Colony parcel on Pyramid Highway near Eagle Canyon Rd., as assessed in the Administrative Draft Environmental Impact Statement (EIS) for the project. As noted in the memo, the RSIC and BIA, as Cooperating Agencies, will have the opportunity to review and comment on the Administrative Draft EIS prior to completion of that document and public review. We anticipate sending you this document for review next month.

If you have any questions or would like to discuss, please don't hesitate to call myself at the number below or Del Abdella at (775) 687-1231.

Thanks,
Jim

Jim O. Clarke, AICP
Manager of Environmental Planning--Denver

JACOBS

303-820-5218 (office)
303-820-2401 (fax)
303-335-8309 (cell)

MEMO

TO: Scott Nebesky - Reno-Sparks Indian Colony (RSIC); Suzette Claypool - Bureau of Indian Affairs (BIA) **DATE:** Dec. 28, 2012

FROM: Abdelmoez A. Abdalla, Environmental and Research Program Manager
U.S. Department of Transportation
Federal Highway Administration-Nevada Division

SUBJECT: Pyramid Highway/US 395 Connector Environmental Impact Statement
Summary of Potential Impacts to the Reno-Sparks Indian Colony Property

COPIES: Bureau of Indian Affairs; Doug Maloy, RTC; Chris Young, NDOT; Sabra Gilbert-Young, NDOT, Jim Clarke and Bryan Gant, Jacobs; Project File

The purpose of this memorandum is to summarize potential impacts and benefits that could result from the proposed Pyramid Highway/US 395 Connector project on a 22-acre parcel held in trust for the Reno-Sparks Indian Colony (RSIC) (RSIC parcel) by the Bureau of Indian Affairs (BIA). The RSIC parcel is located in Washoe County south of Eagle Canyon Road and west of Pyramid Highway in the northern portion of the Study Area, and is zoned commercial.

This memorandum summarizes impacts and benefits determined through the process of preparing the Administrative Draft Environmental Impact Statement (EIS). As cooperating agencies to the EIS, RSIC and BIA will have an opportunity to review and comment on the Draft EIS prior to completion of that document.

Project Background

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT) and the Regional Transportation Commission of Washoe County (RTC), is currently preparing an EIS to identify and evaluate transportation improvements along the Pyramid Highway corridor and a proposed connection between Pyramid Highway and US 395. The Study Area surrounds the existing Pyramid Highway from Calle de la Plata at the northern end to Queen Way at the southern end. The Study Area also includes the area where portions of the proposed roadway connecting existing Pyramid Highway and US 395 (called the US 395 Connector) may be located, extending from near Dandini Boulevard on the western end to Vista Boulevard on the east end (see Figure 1 attached). FHWA has been consulting with the RSIC since inception of the EIS.

Under all build alternatives, improvements would convert Pyramid Highway to a limited-access freeway between Highland Ranch Parkway and Eagle Canyon Drive, with half interchanges at Eagle Canyon Drive, Dolores Drive, Lazy 5 Parkway, and Highland Ranch Parkway, and one-way frontage roads between each half interchange (see Figure 2 attached).

Right-of-Way Impacts

Right-of-way that may be needed to construct the proposed transportation improvements is being assessed as part of the current EIS process. Right-of-way impacts currently shown in the

Draft EIS are presented in this memorandum. Those impacts are based on a preliminary level of design, which provides an adequate level of detail to evaluate impacts for the Draft EIS. Right-of-way requirements in the EIS are conservative, and represent a worst case scenario so that design refinements that could occur during the final design process would fall within the footprint of the EIS. The final design process begins after the Record of Decision is signed, which marks the completion of the EIS process. If it were determined that right-of-way is needed beyond that shown in the EIS as a result of refinements made during the final design process, the FHWA would be required to revisit the NEPA process, including coordination with the RSIC and BIA. Because the proposed project would be implemented in stages, beginning with the southern portion of the project, it is anticipated that final design for the northern portion of the Study Area, where the RSIC parcel is located, would not occur for ten or more years, depending on funding availability for design and construction.

Re-evaluations are required after a certain amount of time has passed, as described under 23 Code of Federal Regulations Section 771.129 (Re-evaluations):

- A written evaluation of the final EIS will be required before further approvals may be granted if major steps to advance the action (e.g., authority to undertake final design, authority to acquire a significant portion of the right-of-way, or approval of the plans, specifications and estimates) have not occurred within three years after the approval of the final EIS, final EIS supplement, or the last major Administration approval or grant.
- After approval of the ROD, FONSI, or CE designation, the applicant shall consult with the Administration prior to requesting any major approvals or grants to establish whether or not the approved environmental document or CE designation remains valid for the requested Administration action. These consultations will be documented when determined necessary by the Administration.

Field reviews, additional environmental studies, and coordination with other agencies occur as necessary during the re-evaluation process.

Potential impacts to the RSIC parcel would be the same under all build alternatives. As shown currently in the DEIS, all build alternatives would require partial acquisition of the RSIC parcel for right-of-way improvements. Potential property acquisition from the RSIC parcel located along the existing Pyramid Highway alignment would be approximately 3.05 acres (13.9 percent) of the 22-acre parcel. Figure 3 (attached) shows the area of the RSIC parcel that is shown as being within the Project Footprint. The proposed improvements would provide access to the RSIC parcel from the proposed frontage road included under all build alternatives.

Economic Impacts/Property Value

The proposed one-way frontage road and access changes would result in out-of-direction travel. The purpose of the frontage roads proposed for this project is to manage access in the area by providing lower-speed access adjacent to the improved Pyramid freeway and to separate local traffic from higher-speed through traffic on the freeway. These changes would likely result in a net benefit to the businesses in the area, including the future commercial shopping area, by improving capacity and ease of access to the general area through the conversion of Pyramid Highway to a limited-access freeway as compared to the no-action alternative.

Employment growth in the Study Area would occur regardless of whether or not the project is implemented. However, studies show that investment in transportation infrastructure can stimulate local economies, both in the short- and long-term. Therefore, the transportation improvements and improved access provided by all build alternatives would boost the potential for economic growth and employment. In addition, areas near interchanges, such as the RSIC parcel south of Eagle Canyon Road and west of Pyramid Highway, would serve as attractive areas for business investment.

To discuss how a change in access will affect the success of a business, it is important to first determine the type of business – drive-by or destination¹. For drive-by businesses (those businesses that customers frequent more on impulse or while driving by) customers expect to get in and out easily; therefore, the critical issues are visibility, signage, and convenient access. Frontage roads maintain good visibility for businesses along a major road and it is typically apparent how to enter and exit the road to get to a business.

For destination businesses (those that customers plan to visit before they start their trip, such as doctor or dentist offices, major retailers, sit-down restaurants, etc.) a driveway on a congested highway or a highway that is perceived as unsafe may intimidate customers from making the trip. Most small destination businesses benefit more from access to a lower speed minor road. Frontage roads along a highway allow customers to enter and exit businesses conveniently and safely, away from faster moving through-traffic.

An increase in property value of the RSIC parcel may occur as a result of the increased exposure and decreased traffic congestion along Eagle Canyon Road and Pyramid Highway, leading to better access because of the traffic relief that the new facility may provide along Eagle Canyon Road and Pyramid Highway.

In addition, the build alternatives would provide a new access point for the future commercial shopping area currently planned on the RSIC parcel, which could also result in an increase in property value for the parcel.

Research shows that access management improvements alone do not appear to increase or decrease business failure rates². This makes sense considering that many factors other than highway access can affect business success. “Before and After” studies of businesses in Florida, Iowa, Minnesota, and Texas along highways where access has been managed found that the vast majority of businesses do as well or better after the access management improvements are completed. Additionally, most property owners surveyed following an access management improvement project do not report any adverse effect of the project on property values. A study of property values on Texas corridors with access management improvements found that land values stayed the same or increased, with very few exceptions³. A study of commercial property values along a major access management improvement project in Minnesota found that property values depend more on the strength of the local economy and

¹ Federal Highway Administration, *Safe Access is Good for Business*. 2006.
(http://ops.fhwa.dot.gov/publications/amprimer/access_mgmt_primer.htm)

² Iowa State University, *Iowa Access Management Research and Awareness Project*, CTRE, 1997.

³ Eisele, W. and W. Frawley, *A Methodology for Determining Economic Impacts of Raised Medians: Data Analysis on Additional Case Studies*, Research Report 3904-3, Texas Transportation Institute, College Station, Texas, October 1999.

the general location of the property in the metropolitan area, and that changes in access seemed to have little or no effect to the value of parcels⁴.

The Moana Nursery consists of approximately 2 acres and is located on the RSIC parcel. Currently, the nursery has a 20-year lease, and it is our understanding that they plan to conduct a \$900,000 expansion. RSIC would like to re-sign Moana Nursery for a long-term lease for larger acreage. Partial acquisition would be required from the nursery for construction of Pyramid Highway to a limited-access freeway, the new frontage road, and new access. The proposed improvements are preliminary, have not been approved and final design has not occurred, therefore they would not preclude expansion of the nursery property. Although the current access for the nursery would change, the traffic increases on the Pyramid freeway and the proposed frontage road would more than offset the impacts that could result due to the change in access because this business or others that could develop on this parcel would be provided with more exposure as a result of the proposed improvements. It is our opinion that, if property were to be acquired as shown, the remaining RSIC parcel would still allow for viable commercial development meeting the existing zoning requirements.

A study of Kansas properties impacted by access changes found that the majority were suitable for the same types of commercial uses after the access management improvement project was completed. This was true even for businesses that had direct access before the project and access only via frontage roads after project completion⁵.

The main reasons businesses succeed include experience of management, quality of customer service, quality of the product or service provided, adequate financing and investment, well-trained employees, level and nature of competition, and keeping costs competitive⁶. In fact, access is one of the lesser factors that customers will consider when weighed against price, service, product, and store amenities.

Transportation Impacts

Each build alternative is projected to increase the amount of traffic using Pyramid Highway over the No-Action Alternative. Each build alternative would result in similar traffic volume increases on Pyramid where this property is located. For each of the build alternatives, the year 2035 daily traffic volumes on Pyramid would increase by approximately 30,000 trips per day south of Calle de la Plata. Traffic volumes are similarly projected to increase to almost 110,000 trips per day north of Disc Drive. As mentioned above, this increase in traffic would result in an increased exposure to the future commercial shopping area planned for the RSIC parcel, which would benefit those businesses and this property.

Compared to the No-Action Alternative, each of the build alternatives are projected to result in an increase in total regional vehicle miles traveled (VMT). However, the increase in VMT would

⁴ Plazak, D. and H. Preston, *Long-Term Impacts of Access Management on Business and Land Development along Minnesota Interstate-394*, Proceedings of the 2005 Mid-Continent Transportation Research Symposium, CTRE - Iowa State University, 2005.

⁵ Rees, M., T. Orrick, and R. Marx, *Police Power Regulation of Highway Access and Traffic Flow in the State of Kansas*, presentation, 79th Annual Meeting of the Transportation Research Board, Washington D.C., January 10, 2000.

⁶ Holland, R., *Planning Against a Business Failure*, ADC Info #24, University of Tennessee, October 1998.

result in a decrease in vehicle hours traveled (VHT) because the increase in capacity and shift of trips from congested arterials to freeway facilities would result in less congestion and faster travel speeds.

Currently, traffic connects to Eagle Canyon Road, which would remain with the build alternatives for this project. A slight decrease in traffic volumes along Eagle Canyon Road is anticipated because traffic would be redistributed to the new frontage roads proposed with the build alternatives for this project. The frontage road would be constructed adjacent to the future commercial shopping area planned on the RSIC parcel, where there would be an increase in traffic and exposure.

Noise Impacts

Traffic would move closer to the future commercial shopping area as a result of the proposed one-way frontage road, resulting in potential noise impacts. However, outdoor uses are not proposed for the future commercial shopping area, and the proposed project is not recommending any noise walls in this area.

Air Quality Impacts

The study is federally funded and the proposed improvements are included in the Regional Transportation Commission (RTC's) *2030 Regional Transportation Plan (RTP)* and the *2014 Transportation Improvement Program (TIP)*. The *2030 RTP* was approved by RTC on November 13, 2008, and by FHWA on March 3, 2009. The *2014 TIP* amendment was adopted by RTC on August 12, 2010.

The results of the project-level carbon monoxide (CO) hot spot analysis indicated that the project would meet the transportation conformity requirements because the build alternatives and the No-Action Alternative would not cause or contribute to any new localized CO violations, increase the frequency or severity of any existing violations, or delay timely attainment of the CO National Ambient Air Quality Standards (NAAQS).

This project also meets the conformity requirements for PM₁₀ (particulate matter less than ten microns in diameter) because this project is not considered a project of air quality concern.

The Final EIS will contain the conformity determination. In addition, updates to the air quality analysis may need to be completed depending on the revised RTP. Results of the revised analysis would be included in the Final EIS.

Historic and Cultural Properties

A walkover survey and Class I records search was conducted for the Pyramid Highway project, which found no historic or cultural resources on the RSIC parcel. NDOT and RTC have agreed to survey the entire RSIC parcel for archeological resources as part of the Final EIS.

Right-of-Way Mitigation

Each tribe functions as a sovereign nation and has its own tribal council and rules that may vary from tribe to tribe. For rights-of-way held in trust, a "Tribal Resolution" would be required from the specific tribal council governing that land and a Letter of Decision from BIA. The Study Team has coordinated with RSIC and BIA since the onset of the EIS process. Both agencies

MEMORANDUM



Summary of Potential Impacts to the RSIC Property
Page 6 of 9

serve as cooperating agencies to the EIS. The Final EIS will provide further details on the proposed acquisition of the trust land.

If approved, before or during final design the RTC and/or NDOT would be required to prepare a comprehensive relocation/acquisition plan. The plan would be administered by NDOT and adhere to NDOT right-of-way requirements. Any right-of-way acquisition would comply with the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended (URA) Section 205(a).

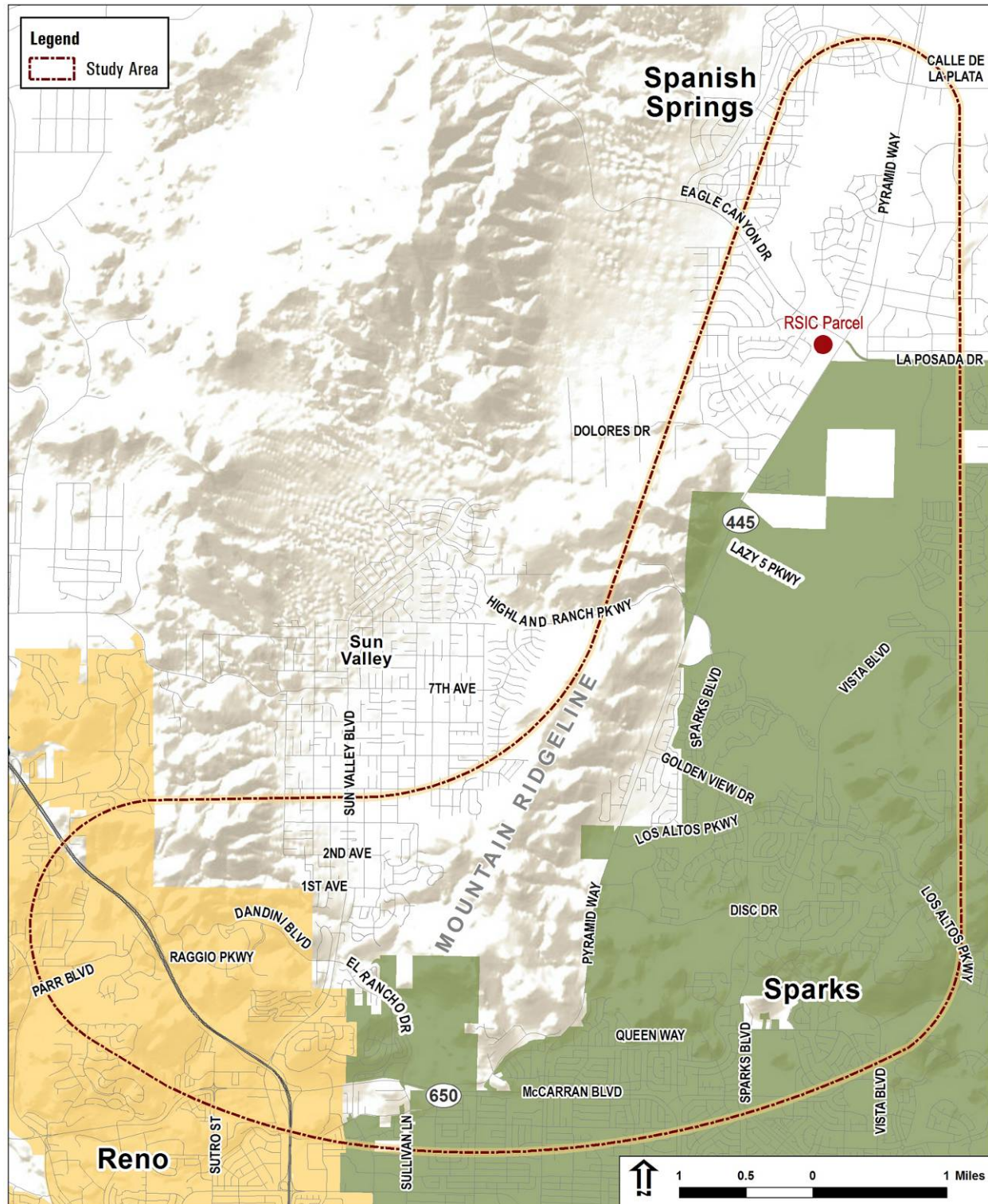
All reasonable opportunities to minimize the acquisition of or impacts to private property would be taken during the final design stage.

The preparation of the EIS that is occurring in accordance with the National Environmental Policy Act (NEPA) and any future improvements that may result from approval of the EIS, in no way precludes the RSIC or any other entity from immediate or long term commercial or residential property development. As is the case with all property acquisition for public right-of-way, at the time that the right-of-way needs are determined, the entity responsible for acquiring the property would, in accordance with the Uniform Act, assess the value of the parcel that would include any existing improvements and impacts to those improvements.

MEMORANDUM

Summary of Potential Impacts to the RSIC Property
Page 7 of 9

Figure 1: Study Area



MEMORANDUM

Summary of Potential Impacts to the RSIC Property
Page 8 of 9

Figure 2 – Elements Common to All Build Alternatives

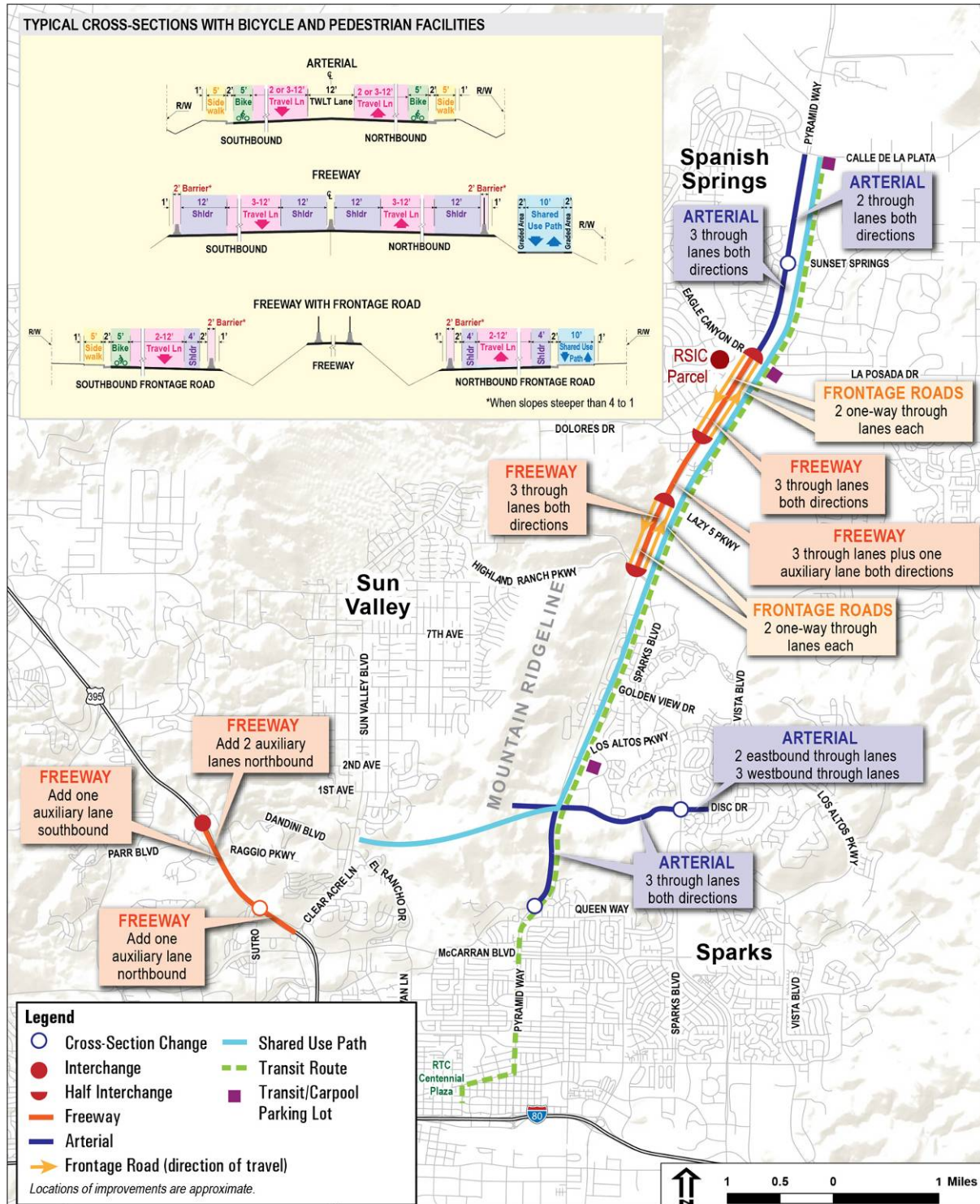
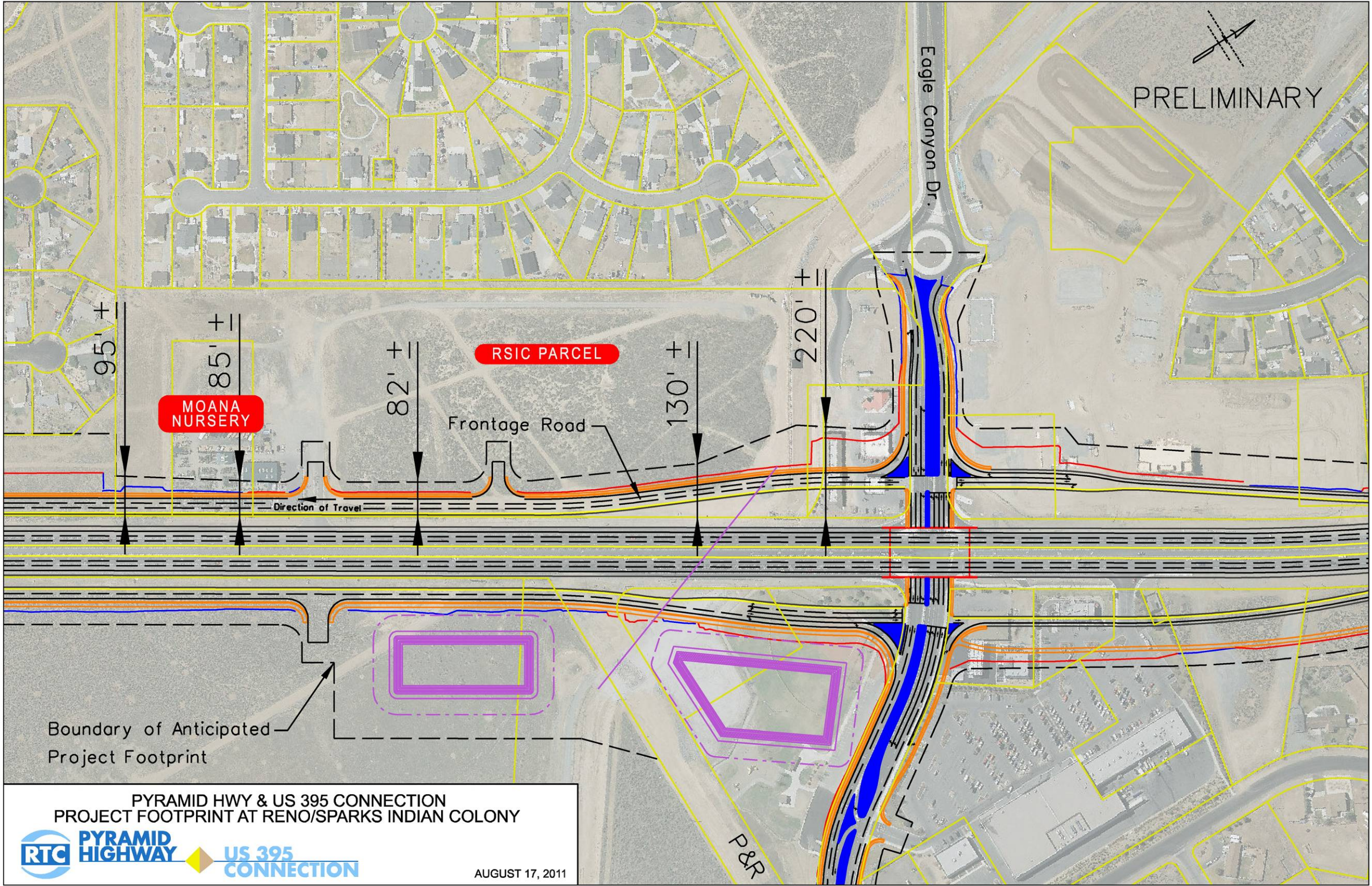


Figure 3 – Potential Impacts at RSIC Parcel



RECEIVED

March 29, 2013

APR 02 2013

Regional Transportation Commission
Engineering Department



Doug Maloy, P.E.
Project Manager
Regional Transportation Commission
2050 Villanova Drive
Reno, NV 89502

Re: Initial Comments on the Pyramid Highway/US 395 Connector Draft EIS
FHWA –NV-EIS-12-02-D
NDOT Project No.: 73390/73391

Dear Mr. Maloy:

Thank you for the opportunity to comment and express our concerns on the proposed Pyramid Highway/US 395 Connector Project Administrative Draft Environmental Impact Statement (EIS). As a Cooperating Agency, the Reno-Sparks Indian Colony (RSIC) has participated in the discussions and refinement of the alternative approaches to address traffic related issues on the Pyramid Highway in the Spanish Springs area. We acknowledge that it is prudent to prepare long term plans for the growth and to adequately plan infrastructure well in advance of the funding and projected demand.

Since the start of the initial discussions of the project in 2008, the RSIC has continuously expressed our concerns of the project's potential impact on cultural resources, in general, and more specifically, the adverse economic impact on the RSIC's 24-acre retail commercial site near the intersection of Pyramid Highway and Eagle Canyon Road. We are concerned with both the acquisition of additional right-of-way as well as the significant change in the access to the site. While we have asked for an analysis of the project's impact to be included in the EIS, we firmly believe that the EIS fails to provide adequate analysis of the economic and social impact of the proposed project on the RSIC. Without understanding the extent and character of the impacts it is difficult to discuss potential mitigation measures. It is important for all of the participating and cooperating agencies to understand that the 24-acre retail commercial site will not only generate revenues to support essential government services, it also is planned to provide employment opportunities to low-income Native American residents from Hungry Valley community. Therefore, any adverse impact will have an immediate and significant direct impact on the RSIC government and community.

It is our understanding that the analysis of the potential impact and mitigation to cultural resources will be completed at a later date once the preferred alternative is further defined. We will reserve our comments on the impact and adequacy of the management of the cultural resources until that time.

In the recent past, the RSIC has had a very productive and cooperative relationship with the Regional Transportation Commission (RTC), City of Sparks and Washoe County Water Resources in regards to the expansion and extension of public infrastructure through the RSIC Spanish Springs site. When the RSIC has received adequate information and through analysis on the various project's impacts, we have come to reasonable and mutually beneficial agreements with the local governments. We recently granted a roadway easement to RTC to accommodate the widening of Eagle Canyon Drive and a cross-access easement to allow RTC to limit the 7-11 entrances to right-in, right-out. We agreed to relocate our commercial driveway on Eagle Canyon Drive to accommodate the intersection improvements at Eagle Canyon and Pyramid Highway. Other examples of cooperative outcomes are the granting of an 80-foot-wide drainage easement for the Spanish Springs Flood Control Project and a 40-foot effluent water line easement to the City of Sparks.

We would like to emphasize that we are not adverse to the project, but we need to have a complete economic and social impact analysis of the project in order to have meaningful discussions regarding the mitigation of the project's impact to the economic viability of the commercial site and social impact to the RSIC Hungry Valley community. Even though the project may not be funded or constructed for many years, the analysis and mitigation should be include in the EIS because the economic impact will be realized in the interim period: when prospective tenants realize the site may be impacted in the future, they will be more likely to locate elsewhere to avoid the business impact or interruption. The mere inclusion of the project in the RTC's transportation improvement plans and programs will have an immediate impact on the RSIC's ability to market and enter into long term lease agreements with potential tenants.

Once again, thanks for the opportunity to comment on the Administrative Draft of the EIS and we look forward to the continued working relationship with the RTC. Please contact me at 775-785-1363 or snebesky@rsic.org if you have any question of concerns.

Sincerely,



Scott A. Nebesky
Planning Director

cc: Athena Brown, BIA Western Nevada Agency
Abdelmoez Abdella, Federal Highway Administration



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WESTERN NEVADA AGENCY
311 East Washington Street
Carson City, Nevada 89701



IN REPLY REFER TO:
OFFICE OF THE SUPERINTENDENT

MAR 29 2013

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APR 02 2013

Regional Transportation Commission
Engineering Department

Doug Maloy, P.E.
Project Manager
Regional Transportation Commission
2050 Villanova Drive
Reno, NV 89502

Dear Mr. Maloy:

Thank you for the opportunity to comment and express the Bureau of Indian Affairs concerns on behalf of the Reno-Sparks Indian Colony (Colony) regarding the proposed Pyramid Highway/US 395 Connector Project Administrative Draft Environmental Impact Statement (EIS).

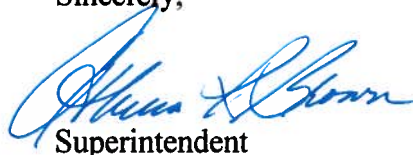
We have reviewed the draft EIS for the Pyramid Highway-US 395 Connector Project and offer the following general comments. Given that tribal trust land is not subject to condemnation (except by special act of Congress), the economic and social impacts on the Colony's Spanish Springs parcel located at the existing Pyramid Highway/Eagle Canyon Boulevard intersection needs to be specifically evaluated at this early stage in the overall process.

This evaluation might be done outside the NEPA process (preferably via an appraisal, in which we would collaborate on the Scope of Work), and incorporated in the final EIS only by reference. The evaluation of economic and social impacts should be completed as soon as possible, so that the parties can consider a range of mitigation measures including a land exchange (or other negotiated alternatives) if the economic value of the uniquely-configured tribal parcel would be severely diminished. The analysis of these impacts as well as any mitigation measures should be incorporated into the final EIS, and referenced in the Notice of Decision.

The Colony recently obtained a federal planning grant to fund certain development-related studies, and is also engaged in coordination discussions with an existing tenant regarding agreed-upon expansion plans. More information as to the impact of the highway project will also enable the Colony to focus these efforts to the benefit of all concerned.

If you have questions or need further clarification, please contact Gerry Emm, Deputy Superintendent of Trust Services at 775-887-3550, ext. 256.

Sincerely,



Superintendent



U.S. Department
of Transportation
**Federal Highway
Administration**

Nevada Division

June 19, 2013

705 N. Plaza Street, Suite 220
Carson City, NV 89701
Phone 775 687-1204
Fax 775 687-3803

In Reply Refer To:
HENV-NV

Mr. Scott A. Nebesky, AICP
Planning Director
Reno-Sparks Indian Colony
98 Colony Road
Reno, Nevada 89502

Re: Pyramid Highway/US 395 Connection Administrative Draft Environmental Impact
Statement

Dear Mr. Nebesky:

Thank you for your March 29, 2013 letter which provided comments and concerns regarding the January 2013 Pyramid Highway/US 395 Connection Administrative Draft Environmental Impact Statement (EIS). The Federal Highway Administration (FHWA), along with the Regional Transportation Commission (RTC), and the Nevada Department of Transportation (NDOT) appreciate the Reno-Sparks Indian Colony's (RSIC) involvement throughout the study process for this proposed project. Through your participation, the study team is aware of the RSIC's concerns regarding potential impacts to the RSIC's development plans for the parcel located at Pyramid Highway and Eagle Canyon Drive.

Regarding your concerns about impacts to cultural resources in general, the study team has coordinated with RSIC on our Section 106 approach throughout the study. A result of this coordination is our commitment to conduct an intensive pedestrian archaeological survey of the entire RSIC parcel after a Preferred Alternative is identified in the Final EIS.

The area that will be surveyed includes the Preferred Alternative right-of-way's limits within the Archaeological Area of Potential Effect (APE), potential temporary construction areas, such as staging areas and haul routes, and the entire RSIC parcel located at Eagle Canyon Drive and Pyramid Highway. Also, please note the Administrative Draft EIS summarizes the Section 106 activities conducted to-date, including eligibility and effect determinations on historic architecture and proposed measures to mitigate effects. It also includes the Class I records search for archaeological resources and results of the archaeological walk-over survey. The

study team has provided RSIC with this Class I and walkover survey information, and can provide the historic architecture information upon request.

To address the concerns the RSIC and Bureau of Indian Affairs (BIA) have regarding the potential social and economic impacts to the RSIC site, FHWA prepared and submitted a memorandum to the RSIC and BIA on December 28, 2012. The memorandum discussed that the proposed impacts of the project, as described in the Administrative Draft EIS, are based on a preliminary level of design which provides an adequate level of detail to evaluate impacts in the Draft EIS. Right-of-way requirements in the Draft EIS are conservative and represent a worst-case scenario so that design refinements that could occur during the final design process would fall within the project footprint as described in the Draft EIS.

The December 2012 memorandum noted that all reasonable opportunities to minimize the acquisition of or impacts to the RSIC parcel would be taken during the final design process. If it were determined during the final design process that additional right-of-way is needed beyond that described in the EIS, the FHWA would be required to revisit the National Environmental Policy Act (NEPA) process, including coordination with the RSIC and BIA. Because the proposed project would be implemented in stages, beginning with the southern portion of the project, it is anticipated that final design for the northern portion of the study area, where the RSIC parcel is located, would not occur for ten or more years depending on funding availability for design and construction.

The memorandum summarized information regarding impacts to the RSIC parcel presented in the Administrative Draft EIS. This includes noise impacts, air quality impacts, proposed right-of-way impacts (3.05 acres acquired from the 22-acre RSIC parcel), and right-of-way mitigation. It described how the proposed access changes and traffic increases under all of the build alternatives would likely result in a net benefit to businesses in the area by improving capacity, easing access to the general area, and increasing exposure to the future commercial shopping area the RSIC has planned for the parcel. The memorandum also noted that an increase in property value of the RSIC parcel may occur as a result of the increased exposure and decreased traffic congestion along Eagle Canyon Drive and Pyramid Highway, leading to better access because of the traffic relief that the improvements may provide along Eagle Canyon Road and Pyramid Highway. In addition, the new access point provided under all of the build alternatives for the future commercial shopping area currently proposed on the RSIC parcel could also result in an increase in property value for the parcel. The memorandum cited several studies that support these assertions.

The memorandum noted that any future improvement that may result from approval of this EIS in no way precludes the RSIC, or any other entity, from immediate, long-term commercial, or residential property development. This is the case with all property acquisition for public right-of-way at the time that the right-of-way needs are determined. The entity responsible for acquiring the property will, in accordance with the Uniform Act, assess the value of the parcel that would include any existing improvements and impacts.

At this time, FHWA believes that the information provided in the Draft EIS and the December, 2012 memorandum sufficiently describe the extent and character of the potential project impacts to the RSIC parcel as a result of the proposed project.

FHWA, NDOT, and the RTC look forward to the continued consultation with the RSIC and BIA as the EIS process continues and, if a build alternative is selected as the Preferred Alternative, the final design process and construction phase.

Sincerely,



Abdelmoez A. Abdalla
Environmental Program Manager

cc: Athena Brown, BIA
ec: Sabra Gilbert Young, NDOT
C. Cliff Creger, NDOT
Chris Young, NDOT
Doug Maloy, RTC
Jim Clarke, Jacobs

**Appendix A:
Agency Coordination**

Consulting Party Correspondence



705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

In Reply Refer To:
HENV-NV

Nevada Division

Subject: Pyramid Highway/US 395 Connector Project EIS

Mr. Mervin Wright, Chairperson
Pyramid Lake Paiute Tribe
P.O. Box 256
Nixon, Nevada 89424

Dear Mr. Wright:

In recognition of your Tribe's status as a sovereign Tribal Government, and the Federal Highway Administration's (FHWA) responsibilities under the National Historic Preservation Act (NHPA), the FHWA is requesting your Government-to-Government consultation on a proposed Federal-aid highway project.

As prescribed by the National Historic Preservation Act, the FHWA follows a process (36 CFR §800) to locate historic properties which may be affected by the proposed project. These historic properties include prehistoric and historic archaeological sites as well as traditional cultural properties (TCPs). As part of this effort the FHWA would like to initiate consultation with the Pyramid Lake Paiute Tribe relative to any potential areas that your Tribe attaches religious or cultural significance to and that may be affected by the project.

This request for information of what may be of a very sensitive nature is not intended as an offense to the Tribe, but instead is our good faith attempt to protect any historic properties that may be affected by this proposed project. Public access to any information you provide concerning the location, character, or ownership of these religious and cultural properties can be restricted as per Section 304 (16 U.S.C. §4702.3) of the NHPA as amended.

In addition to the Pyramid Lake Paiute Tribe, requests for information have also been sent to the Reno-Sparks Indian Colony, and the Washoe Tribe of Nevada and California.

Project Description

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation and the Washoe County Regional Transportation Commission, is initiating a National Environmental Policy Act (NEPA) process for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS). The purpose of the proposed project is to



address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included (see enclosed map).

For your convenience, the NDOT project manager for this proposed project may be available to make a presentation to your tribal council. Please contact NDOT Native American Consultation Coordinator, Sabra Gilbert-Young, at 775-888-7483 to request a presentation.

Existing Information on Historic Properties

Initiating consultation this early in the planning stages of the proposed project has not allowed the NDOT archaeologist and the NDOT architectural historian to conduct their full background investigations yet. As soon as these studies have been completed copies will be forwarded to your office.

Based on the project description, location map of the study area, and your personal knowledge of the areas of importance to your Tribe:

1. Do you have any concerns regarding properties that are of a religious or cultural significance to your Tribe? These types of properties are also referred to as traditional cultural properties.
2. Do you have any concerns regarding the overall proposed project or specific parts of it?

If you would like additional information or have concerns regarding this proposed project, or the overall FHWA program, please contact me. I can be contacted by mailing the attached consultation response form, or you can FAX it to me at 775-687-3803, or you may telephone me at 775-687-1231. If you would like a meeting regarding this proposed project, or the overall program, I would be happy to meet with you as soon as possible.

Sincerely yours,



Abdelmoez A. Abdalla
Environmental Program Manager

Enc: EIS Study Area Map
Response Form

cc: Ben Aleck, PLPT
Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Pyramid Highway/US 395 Connector Project EIS

Return to: Mr. Abdelmoez Abdalla
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

From: Mr. Mervin Wright, Chairperson
Pyramid Lake Paiute Tribe
P.O. Box 256
Nixon, Nevada 89424

Reply: Please check one of the options below, or provide other comments, as appropriate.

☐ The Pyramid Lake Paiute Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction.

☐ The Pyramid Lake Paiute Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction. In addition, the Tribe requests that copies of environmental and cultural documents prepared for this project be forwarded to the following person:

Contact Person: _____
Telephone Number: _____

☐ The Pyramid Lake Paiute Tribe requests further consultation to address our concerns. Please contact the following person to discuss the matter further.

Contact Person: _____
Telephone Number: _____

Signature: _____

Title: _____

Date: _____

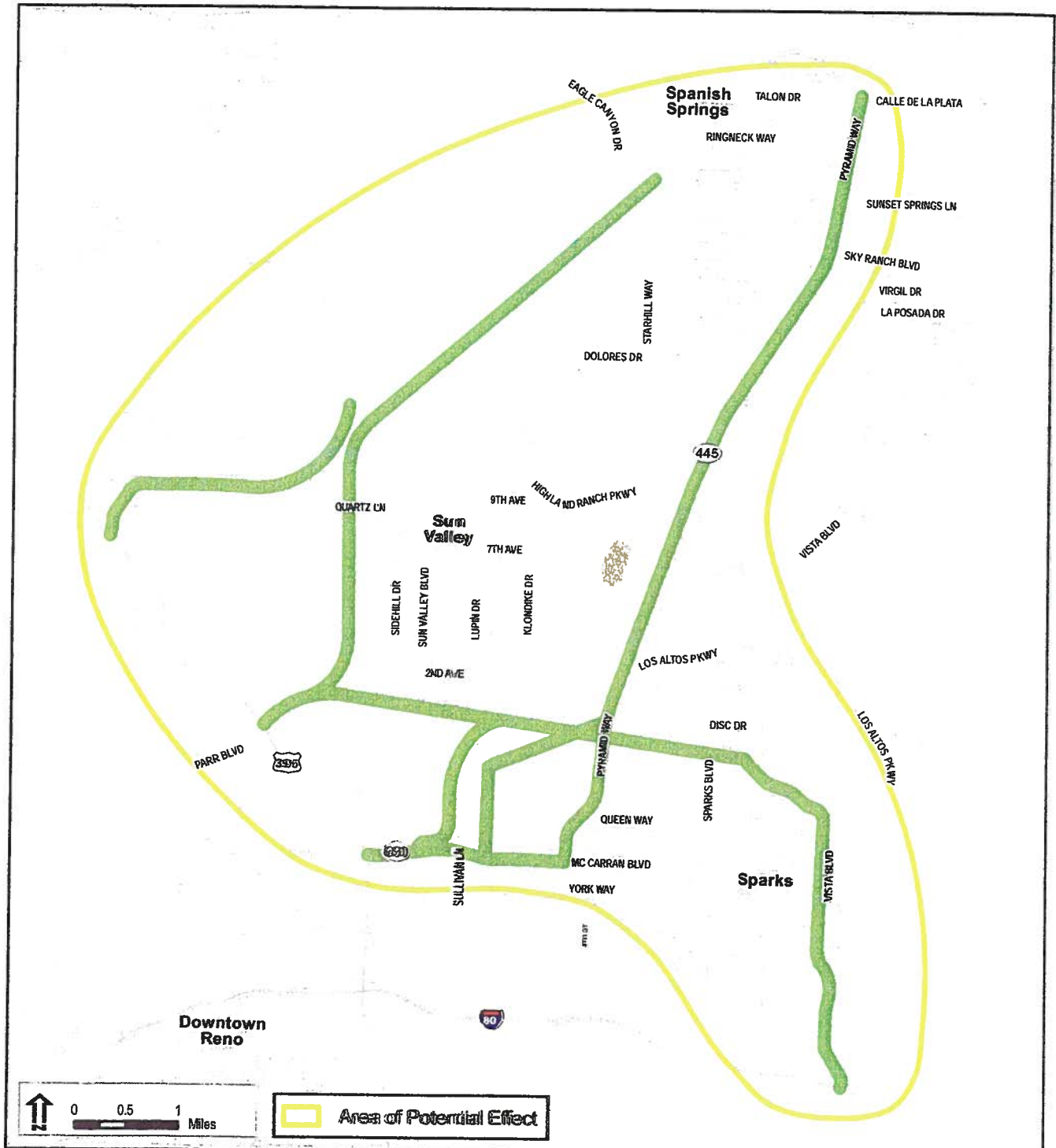


**PYRAMID
HIGHWAY**



**US 395
CONNECTION**

Level 2A Alternatives





705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

In Reply Refer To:
HENV-NV

Nevada Division

Subject: Pyramid Highway/US 395 Connector Project EIS

Mr. Waldo Walker, Chairperson
Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, Nevada 89410

Dear Mr. Walker:

In recognition of your Tribe's status as a sovereign Tribal Government, and the Federal Highway Administration's (FHWA) responsibilities under the National Historic Preservation Act (NHPA), the FHWA is requesting your Government-to-Government consultation on a proposed Federal-aid highway project.

As prescribed by the National Historic Preservation Act, the FHWA follows a process (36 CFR §800) to locate historic properties which may be affected by the proposed project. These historic properties include prehistoric and historic archaeological sites as well as traditional cultural properties (TCPs). As part of this effort the FHWA would like to initiate consultation with the Washoe Tribe relative to any potential areas that your Tribe attaches religious or cultural significance to and that may be affected by the project.

This request for information of what may be of a very sensitive nature is not intended as an offense to the Tribe, but instead is our good faith attempt to protect any historic properties that may be affected by this proposed project. Public access to any information you provide concerning the location, character, or ownership of these religious and cultural properties can be restricted as per Section 304 (16 U.S.C. §4702.3) of the NHPA as amended.

In addition to the Washoe Tribe of Nevada and California, requests for information have also been sent to the Pyramid Lake Paiute Tribe, and the Reno-Sparks Indian Colony.

Project Description

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation and the Washoe County Regional Transportation Commission, is initiating a National Environmental Policy Act (NEPA) process for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS). The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians



that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included (see enclosed map).

For your convenience, the NDOT project manager for this proposed project may be available to make a presentation to your tribal council. Please contact NDOT Native American Consultation Coordinator, Sabra Gilbert-Young, at 775-888-7483 to request a presentation.

Existing Information on Historic Properties

Initiating consultation this early in the planning stages of the proposed project has not allowed the NDOT archaeologist and the NDOT architectural historian to conduct their full background investigations yet. As soon as these studies have been completed copies will be forwarded to your office.

Based on the project description, location map of the study area, and your personal knowledge of the areas of importance to your Tribe:

1. Do you have any concerns regarding properties that are of a religious or cultural significance to your Tribe? These types of properties are also referred to as traditional cultural properties.
2. Do you have any concerns regarding the overall proposed project or specific parts of it?

If you would like additional information or have concerns regarding this proposed project, or the overall FHWA program, please contact me. I can be contacted by mailing the attached consultation response form, or you can FAX it to me at 775-687-3803, or you may telephone me at 775-687-1231. If you would like a meeting regarding this proposed project, or the overall program, I would be happy to meet with you as soon as possible.

Sincerely yours,



Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures

cc: Darrel Cruz, WTNC
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Pyramid Highway/US 395 Connector Project EIS

Return to: Mr. Abdelmoez Abdalla
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

From: Mr. Waldo Walker, Chairperson
Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, Nevada 89410

Reply: Please check one of the options below, or provide other comments, as appropriate.

- ☐ The Washoe Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction.
- ☐ The Washoe Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction. In addition, the Tribe requests that copies of environmental and cultural documents prepared for this project be forwarded to the following person:

Contact Person: _____
Telephone Number: _____

- ☐ The Washoe Tribe requests further consultation to address our concerns. Please contact the following person to discuss the matter further.

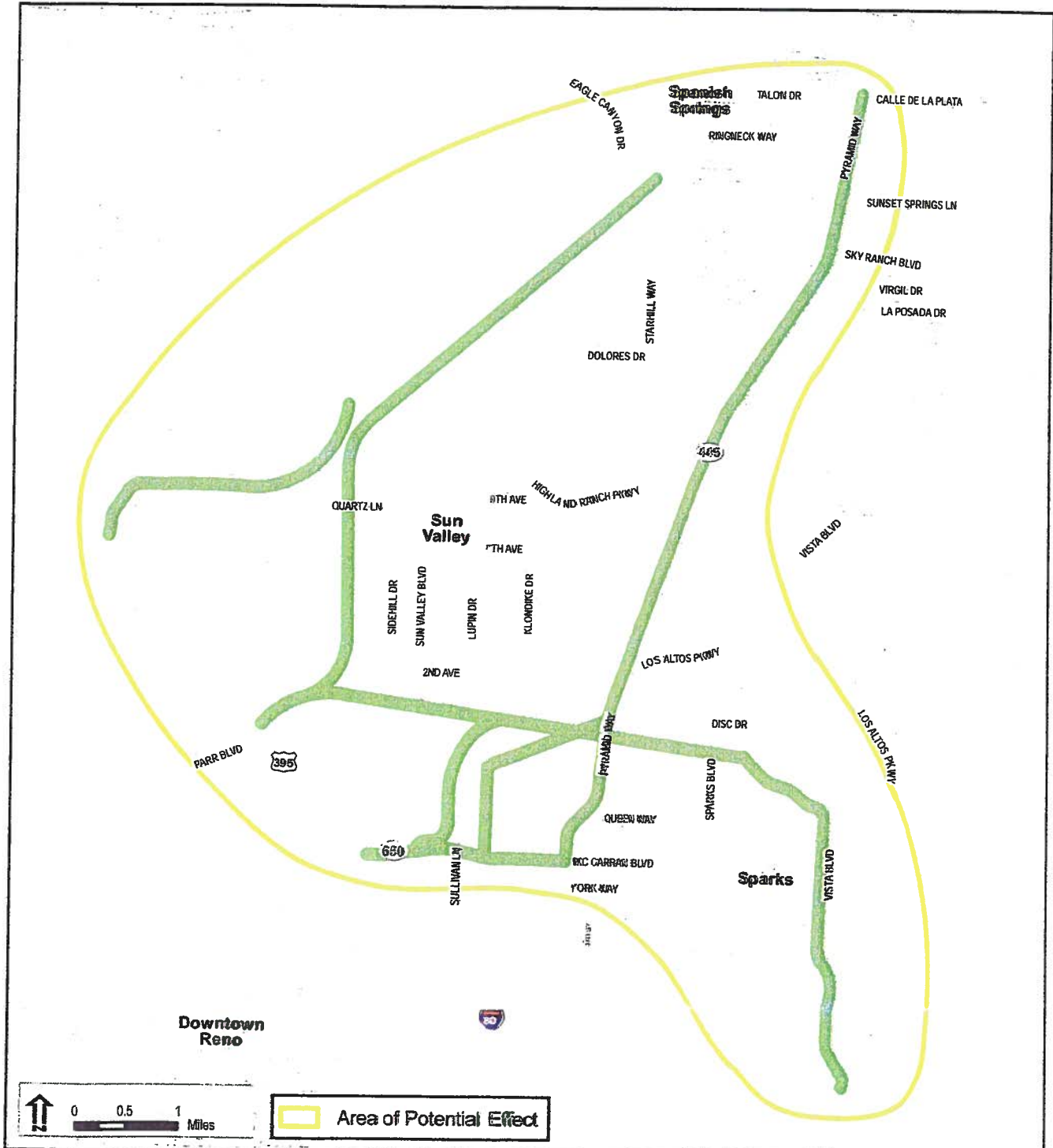
Contact Person: _____
Telephone Number: _____

Signature: _____

Title: _____

Date: _____

Level 2A Alternatives





February 5, 2009

In Reply Refer To:
HENV-NV

Nevada Division

Subject: Pyramid Highway/US 395 Connector Project EIS

Mr. Arlan Melendez, Chairperson
Reno-Sparks Indian Colony
98 Colony Road
Reno, Nevada 89502

Dear Mr. Melendez:

In recognition of your Tribe's status as a sovereign Tribal Government, and the Federal Highway Administration's (FHWA) responsibilities under the National Historic Preservation Act (NHPA), the FHWA is requesting your Government-to-Government consultation on a proposed Federal-aid highway project.

As prescribed by the National Historic Preservation Act, the FHWA follows a process (36 CFR §800) to locate historic properties which may be affected by the proposed project. These historic properties include prehistoric and historic archaeological sites as well as traditional cultural properties (TCPs). As part of this effort the FHWA would like to initiate consultation with the Reno-Sparks Indian Colony (RSIC) relative to any potential areas that RSIC attaches religious or cultural significance to and that may be affected by the project.

This request for information of what may be of a very sensitive nature is not intended as an offense to RSIC, but instead is our good faith attempt to protect any historic properties that may be affected by this proposed project. Public access to any information you provide concerning the location, character, or ownership of these religious and cultural properties can be restricted as per Section 304 (16 U.S.C. §4702.3) of the NHPA as amended.

In addition to the Reno-Sparks Indian Colony, requests for information have also been sent to the Pyramid Lake Paiute Tribe, and the Washoe Tribe of Nevada and California.

Project Description

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation and the Washoe County Regional Transportation Commission, is initiating a National Environmental Policy Act (NEPA) process for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS). The purpose of the proposed project is to



address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included (see enclosed map).

For your convenience, the NDOT project manager for this proposed project may be available to make a presentation to your tribal council. Please contact NDOT Native American Consultation Coordinator, Sabra Gilbert-Young, at 775-888-7483 to request a presentation.

Existing Information on Historic Properties

Initiating consultation this early in the planning stages of the proposed project has not allowed the NDOT archaeologist and the NDOT architectural historian to conduct their full background investigations yet. As soon as these studies have been completed copies will be forwarded to your office.

Based on the project description, location map of the study area, and your personal knowledge of the areas of importance to your Tribe:

1. Do you have any concerns regarding properties that are of a religious or cultural significance to RSIC? These types of properties are also referred to as traditional cultural properties.
2. Do you have any concerns regarding the overall proposed project or specific parts of it?

If you would like additional information or have concerns regarding this proposed project, or the overall FHWA program, please contact me. I can be contacted by mailing the attached consultation response form, or you can FAX it to me at 775-687-3803, or you may telephone me at 775-687-1231. If you would like a meeting regarding this proposed project, or the overall program, I would be happy to meet with you as soon as possible.

Sincerely yours,



Abdelmoez A. Abdalla
Environmental Program Manager

Enc: EIS Study Area Map
Response Form

cc: Michon Eben, RSIC
Doug Maloy, RTC Washoe County
Cliff Creger, NDOT
S. Gilbert-Young, NDOT

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Pyramid Highway/US 395 Connector Project EIS

Return to: Mr. Abdelmoez Abdalla
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

From: Mr. Arlan Melendez, Chairperson
Reno-Sparks Indian Colony
98 Colony Road
Reno, Nevada 89502

Reply: Please check one of the options below, or provide other comments, as appropriate.

☐ The Reno-Sparks Indian Colony has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction.

☐ The Reno-Sparks Indian Colony has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction. In addition, RSIC requests that copies of environmental and cultural documents prepared for this project be forwarded to the following person:

Contact Person: _____
Telephone Number: _____

☐ The Reno-Sparks Indian Colony requests further consultation to address our concerns. Please contact the following person to discuss the matter further.

Contact Person: _____
Telephone Number: _____

Signature: _____

Title: _____

Date: _____



705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Mr. Ronald James
State Historic Preservation Officer and Historian
State Historic Preservation Office
100 N. Stewart Street
Carson City, Nevada 89701

Dear Mr. James:

The purpose of this letter is to invite the State Historic Preservation Office (SHPO) to become a consulting party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), to identify any concerns the SHPO may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included.

Consultation between FHWA, the Nevada Department of Transportation (NDOT), the Washoe County Regional Transportation Commission (RTC), and the SHPO led to the definition of the geographical boundary for the preliminary Area of Potential Effect (APE). Enclosed for your review is a map showing the initial APE for cultural resource study which will initially entail a detailed records search (see enclosed exhibit).

The RTC has selected Jacobs Engineering Group (Jacobs) to assist it in preparing the EIS. Western Cultural Resource Management, Inc. (WCRM), a subcontractor to Jacobs for cultural resource issues, will facilitate consultation among the City, NDOT, and FHWA. The current APE for cultural resources is for the file search only and will change once the a reduced set of alternatives have been identified and developed to greater detail, such that potential impacts can be better defined.

As part of the EIS process, potential effects on cultural resources will be determined. The information will be used in evaluation of alternatives and can be kept confidential if you so



desire. We would appreciate the names and addresses of other persons who should be contacts for information. Please note that the appropriate Native American tribes are also being contacted.

As part of the facilitation process, WCRM will contact you by telephone within (2) weeks receipt of this letter to discuss your concerns. To facilitate your identification of questions and concerns about the project, WCRM will coordinate with FHWA to provide you with any additional information needed by you or your staff.

We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please contact me at (775) 687-1231.

Sincerely Yours,

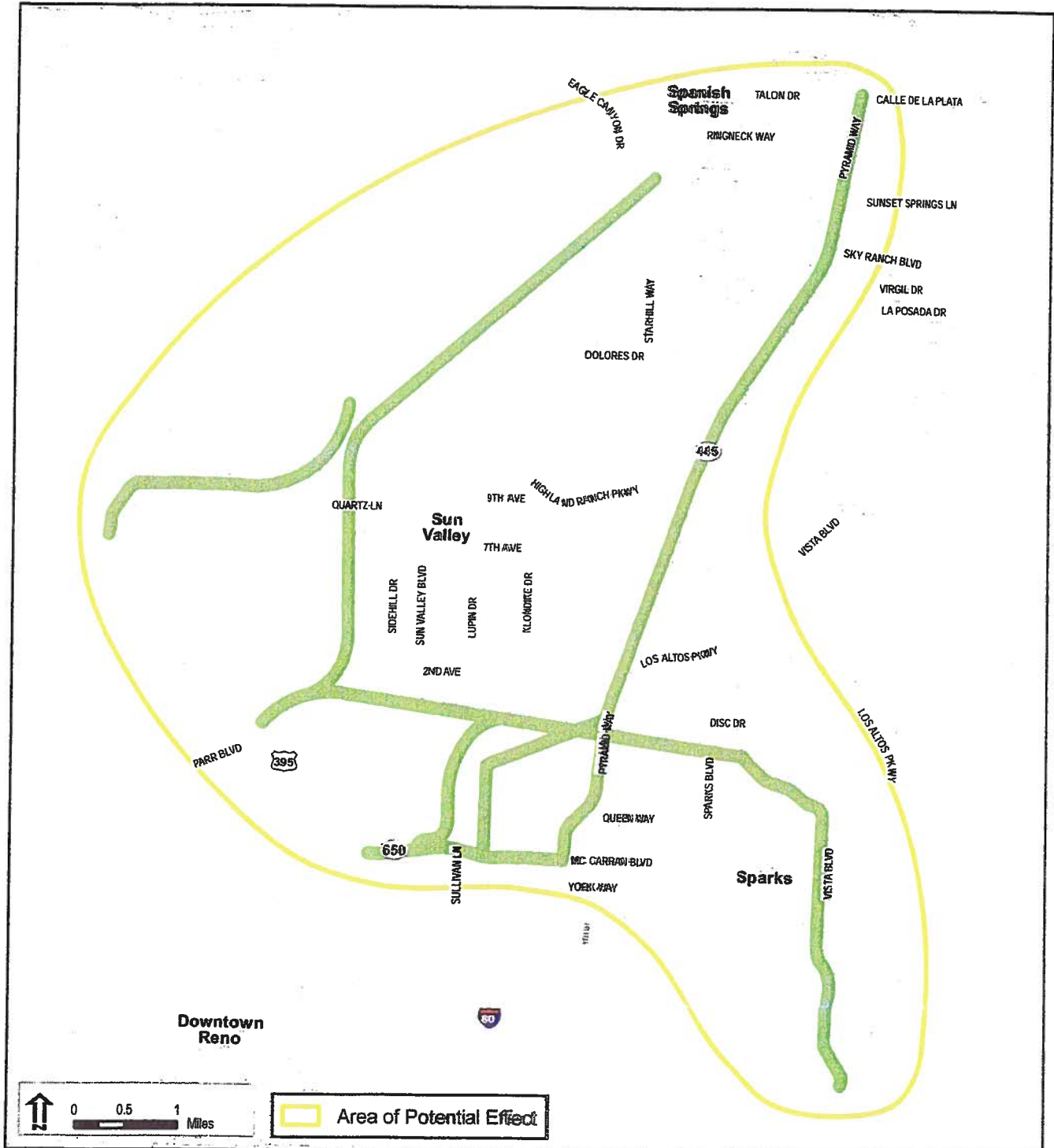


Abdelmoez A. Abdalla
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

Level 2A Alternatives





U.S. Department
of Transportation
**Federal Highway
Administration**

705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

In Reply Refer To:
HENV-NV

Nevada Division

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Mr. Donald Naquin
CLG-Contact
City of Reno, Nevada
P.O. Box 1900
Reno, Nevada 89505

Dear Mr. Naquin:

The purpose of this letter is to invite the City of Reno CLG to become a consulting party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), to identify any concerns the city may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included.

Consultation between FHWA, the Nevada Department of Transportation (NDOT), the Washoe County Regional Transportation Commission (RTC), and the State Historic Preservation Office (SHPO) led to the definition of the geographical boundary for the preliminary Area of Potential Effect (APE). Enclosed for your review is a map showing the initial APE for cultural resource study which will initially entail a detailed records search (see enclosed exhibit).

The RTC has selected Jacobs Engineering Group (Jacobs) to assist it in preparing the EIS. Western Cultural Resource Management, Inc. (WCRM), a subcontractor to Jacobs for cultural resource issues, will facilitate consultation among the City, NDOT, and FHWA. The current APE for cultural resources is for the file search only and will change once the a reduced set of alternatives have been identified and developed to greater detail, such that potential impacts can be better defined.

As part of the EIS process, potential effects on cultural resources will be determined. The information will be used in evaluation of alternatives and can be kept confidential if you so

**MOVING THE
AMERICAN
ECONOMY**



desire. We would appreciate the names and addresses of other persons who should be contacts for information. Please note that the appropriate Native American tribes are also being contacted.

As part of the facilitation process, WCRM will contact you by telephone within (2) weeks receipt of this letter to discuss your concerns. To facilitate your identification of questions and concerns about the project, WCRM will coordinate with FHWA to provide you with any additional information needed by you or your staff.

We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please contact me at (775) 687-1231.

Sincerely Yours,

A handwritten signature in blue ink that reads "a. a. abdalla".

Abdelmoez A. Abdalla
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

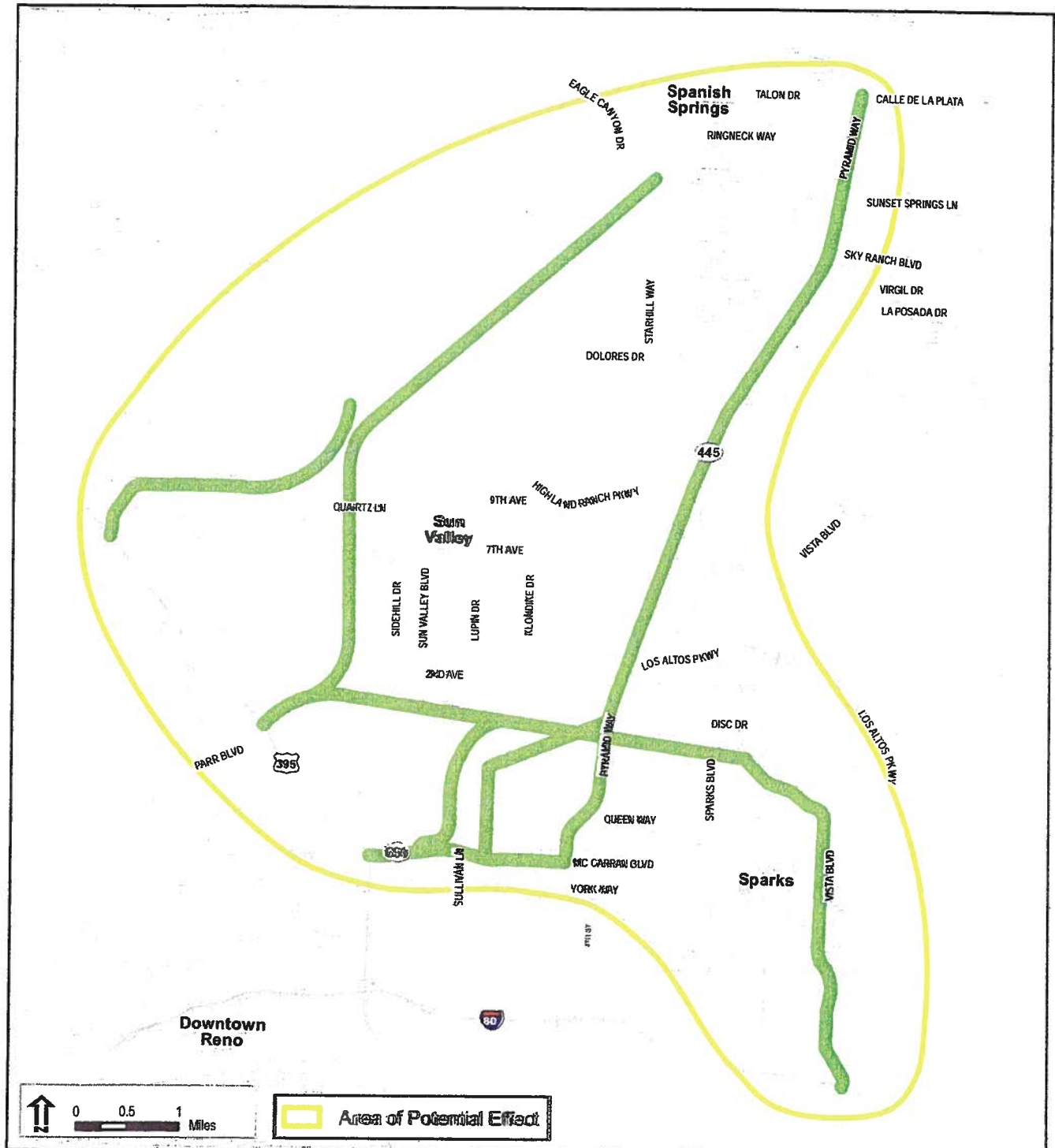


**PYRAMID
HIGHWAY**



**US 395
CONNECTION**

Level 2A Alternatives





705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Mr. Neil Krutz, P.E.
Community Development Director
City of Sparks, Nevada
1675 E. Prater Way, Ste. 107
Sparks, Nevada 89434

Dear Mr. Krutz, P.E.:

The purpose of this letter is to invite the City of Sparks to become a consulting party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), to identify any concerns the city may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included.

Consultation between FHWA, the Nevada Department of Transportation (NDOT), the Washoe County Regional Transportation Commission (RTC), and the State Historic Preservation Office (SHPO) led to the definition of the geographical boundary for the preliminary Area of Potential Effect (APE). Enclosed for your review is a map showing the initial APE for cultural resource study which will initially entail a detailed records search (see enclosed exhibit).

The RTC has selected Jacobs Engineering Group (Jacobs) to assist it in preparing the EIS. Western Cultural Resource Management, Inc. (WCRM), a subcontractor to Jacobs for cultural resource issues, will facilitate consultation among the City, NDOT, and FHWA. The current APE for cultural resources is for the file search only and will change once the a reduced set of alternatives have been identified and developed to greater detail, such that potential impacts can be better defined.

As part of the EIS process, potential effects on cultural resources will be determined. The information will be used in evaluation of alternatives and can be kept confidential if you so



desire. We would appreciate the names and addresses of other persons who should be contacts for information. Please note that the appropriate Native American tribes are also being contacted.

As part of the facilitation process, WCRM will contact you by telephone within (2) weeks receipt of this letter to discuss your concerns. To facilitate your identification of questions and concerns about the project, WCRM will coordinate with FHWA to provide you with any additional information needed by you or your staff.

We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please contact Abdelmoez Abdalla, Ph. D., FHWA Environmental Program Manager at (775) 687-1231.

Sincerely Yours,

A handwritten signature in blue ink that reads "a. a. abdalla".

Abdelmoez A. Abdalla
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

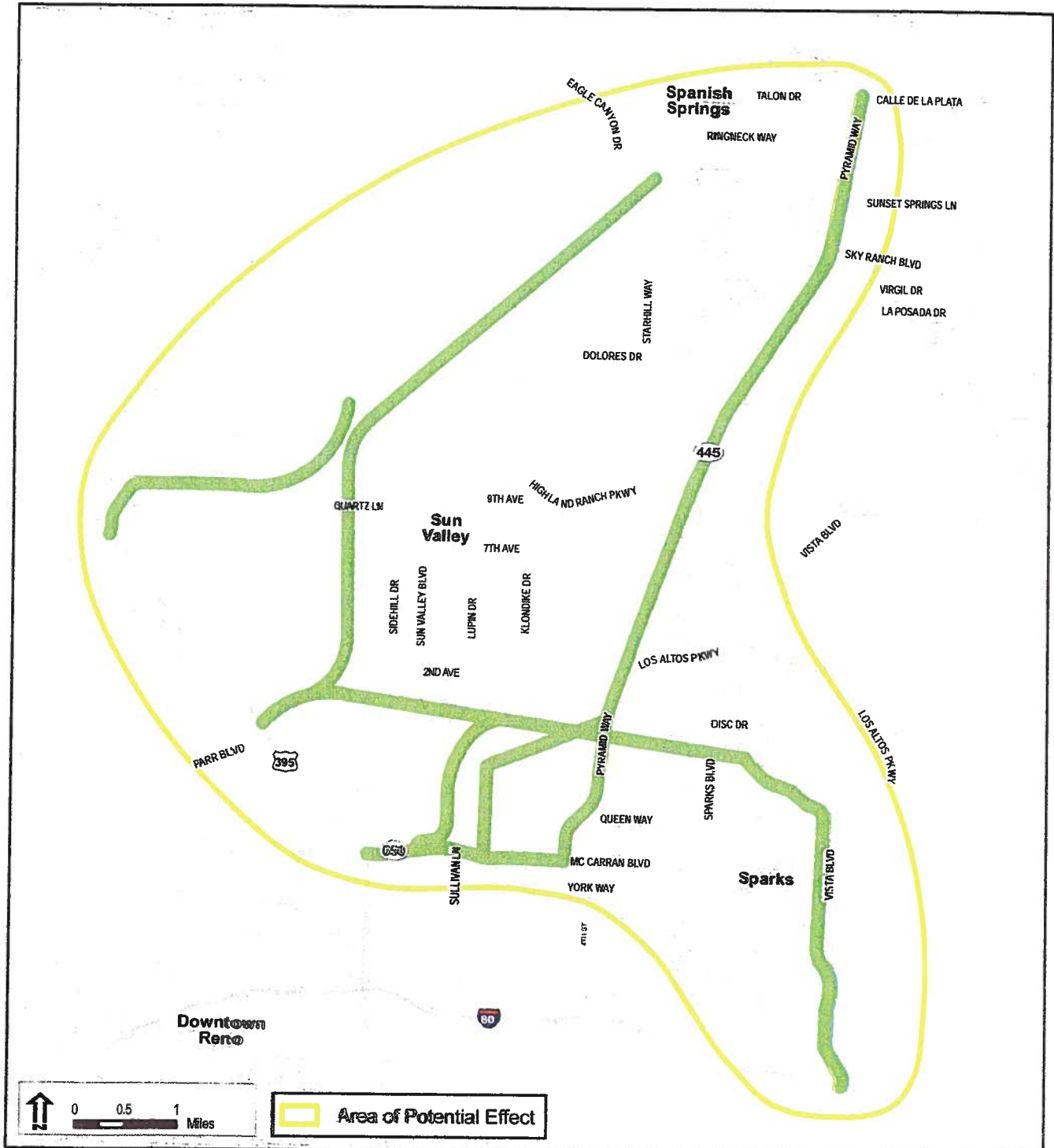


**PYRAMID
HIGHWAY**



**US 395
CONNECTION**

Level 2A Alternatives





U.S. Department
of Transportation
**Federal Highway
Administration**

scan all

705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Mr. Adrian P. Freund, AICP
Director
County of Washoe
P.O. Box 11130
Reno, Nevada 89520

Dear Mr. Freund, AICP:

The purpose of this letter is to invite Washoe County to become a consulting party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), to identify any concerns the county may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included.

Consultation between FHWA, the Nevada Department of Transportation (NDOT), the Washoe County Regional Transportation Commission (RTC), and the State Historic Preservation Office (SHPO) led to the definition of the geographical boundary for the preliminary Area of Potential Effect (APE). Enclosed for your review is a map showing the initial APE for cultural resource study which will initially entail a detailed records search (see enclosed exhibit).

The RTC has selected Jacobs Engineering Group (Jacobs) to assist it in preparing the EIS. Western Cultural Resource Management, Inc. (WCRM), a subcontractor to Jacobs for cultural resource issues, will facilitate consultation among the City, NDOT, and FHWA. The current APE for cultural resources is for the file search only and will change once the a reduced set of alternatives have been identified and developed to greater detail, such that potential impacts can be better defined.

As part of the EIS process, potential effects on cultural resources will be determined. The information will be used in evaluation of alternatives and can be kept confidential if you so

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desire. We would appreciate the names and addresses of other persons who should be contacts for information. Please note that the appropriate Native American tribes are also being contacted.

As part of the facilitation process, WCRM will contact you by telephone within (2) weeks receipt of this letter to discuss your concerns. To facilitate your identification of questions and concerns about the project, WCRM will coordinate with FHWA to provide you with any additional information needed by you or your staff.

We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please contact me at (775) 687-1231.

Sincerely Yours,

A handwritten signature in blue ink that reads "a. a. abdalla".

Abdelmoez A. Abdalla, Ph. D.
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

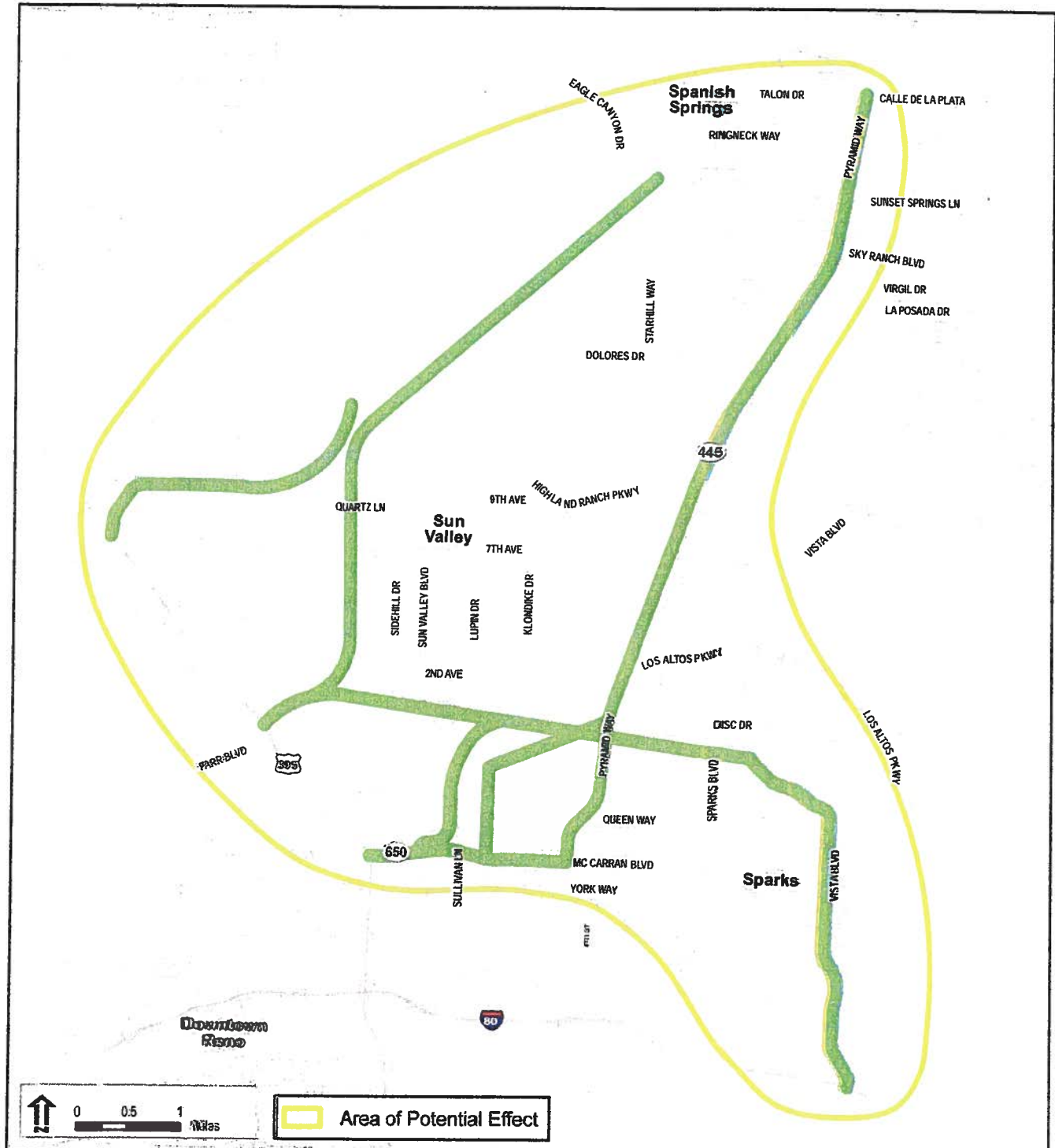


**PYRAMID
HIGHWAY**



**US 395
CONNECTION**

Level 2A Alternatives





U.S. Department
of Transportation
**Federal Highway
Administration**

705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for
the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Center for Basque Studies
University of Nevada, Reno 322
Reno, Nevada 89557

To Whom It May Concern:

The purpose of this letter is to invite the Center for Basque Studies as an interested party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), identify any concerns the Center for Basque Studies may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included. Please notify FHWA of any resources that the Center for Basque Studies feels important to this EIS for the area.

Consultation between FHWA, the Nevada Department of Transportation (NDOT), the Washoe County Regional Transportation Commission (RTC), and the State Historic Preservation Office (SHPO) led to the definition of the geographical boundary for the preliminary Area of Potential Effect (APE). Enclosed for your review is a map showing the initial APE for cultural resource study which will initially entail a detailed records search (see enclosed exhibit).

The RTC has selected Jacobs Engineering Group (Jacobs) to assist it in preparing the EIS. Western Cultural Resource Management, Inc. (WCRM), a subcontractor to Jacobs for cultural resource issues, will facilitate consultation among the City, NDOT, and FHWA. The current APE for cultural resources is for the file search only and will change once the a reduced set of alternatives have been identified and developed to greater detail, such that potential impacts can be better defined.

As part of the EIS process, potential effects on cultural resources will be determined. The information will be used in evaluation of alternatives and can be kept confidential if you so



desire. We would appreciate the names and addresses of other persons who should be contacts for information. Please note that the appropriate Native American tribes are also being contacted.

As part of the facilitation process, WCRM will contact you by telephone within (2) weeks receipt of this letter to discuss your concerns. To facilitate your identification of questions and concerns about the project, WCRM will coordinate with FHWA to provide you with any additional information needed by you or your staff.

We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please contact me at (775) 687-1231.

Sincerely Yours,

A handwritten signature in blue ink that reads "a. a. abdalla".

Abdelmoez A. Abdalla, Ph. D.
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

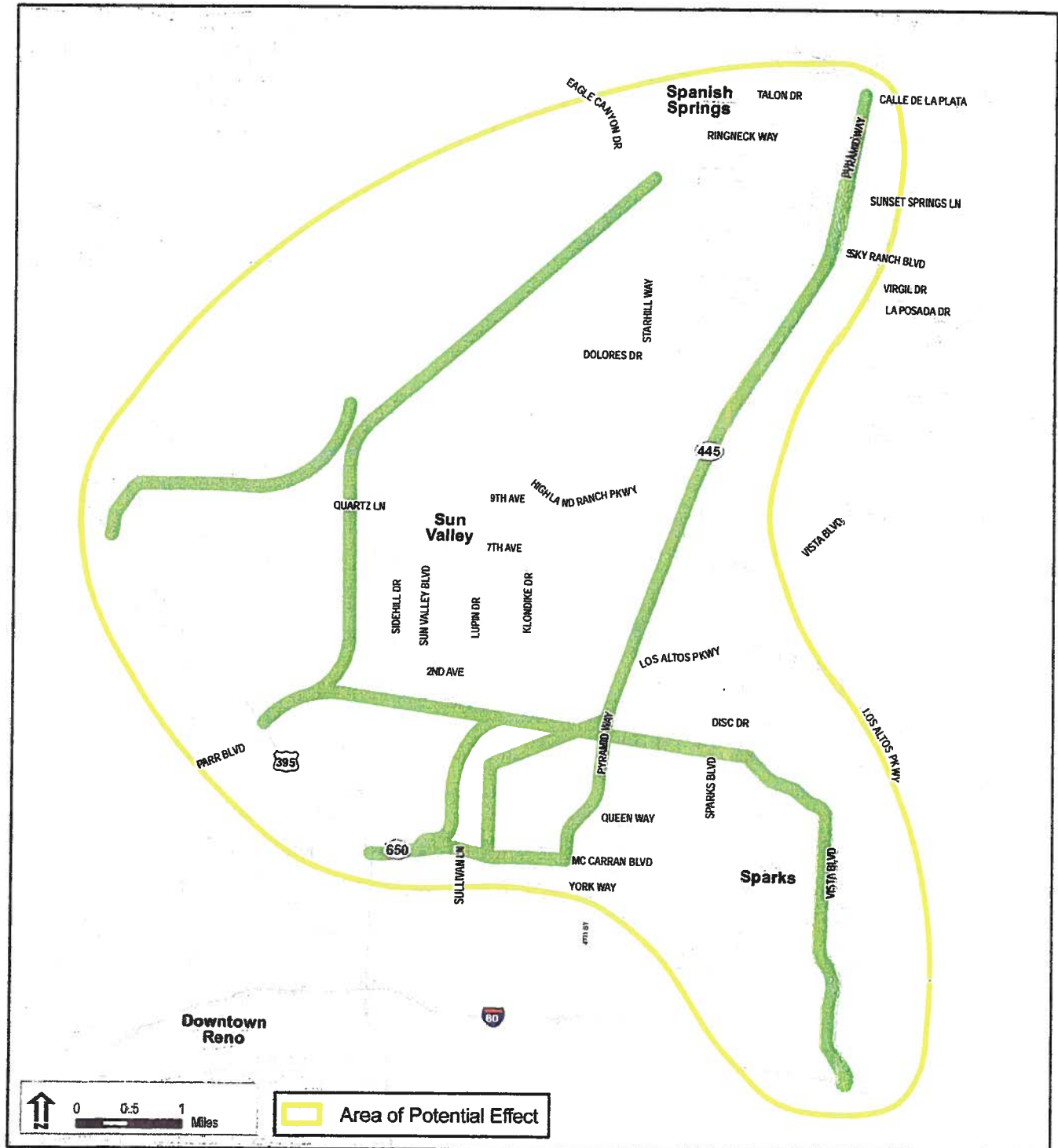


**PYRAMID
HIGHWAY**



**US 395
CONNECTION**

Level 2A Alternatives





705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Nevada Humanities-Reno Office
1034 N. Sierra Street
Reno, Nevada 89503

To Whom It May Concern:

The purpose of this letter is to invite the Nevada Humanities-Reno Office as an interested party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), identify any concerns the Nevada Humanities-Reno Office may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included. Please notify FHWA of any resources that the Nevada Humanities-Reno Office feels important to this EIS for the area.

Consultation between FHWA, the Nevada Department of Transportation (NDOT), the Washoe County Regional Transportation Commission (RTC), and the State Historic Preservation Office (SHPO) led to the definition of the geographical boundary for the preliminary Area of Potential Effect (APE). Enclosed for your review is a map showing the initial APE for cultural resource study which will initially entail a detailed records search (see enclosed exhibit).

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As part of the EIS process, potential effects on cultural resources will be determined. The information will be used in evaluation of alternatives and can be kept confidential if you so



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We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please me at (775) 687-1231.

Sincerely Yours,

Handwritten signature of Abdelmoez A. Abdalla in blue ink.

Abdelmoez A. Abdalla, Ph. D.
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

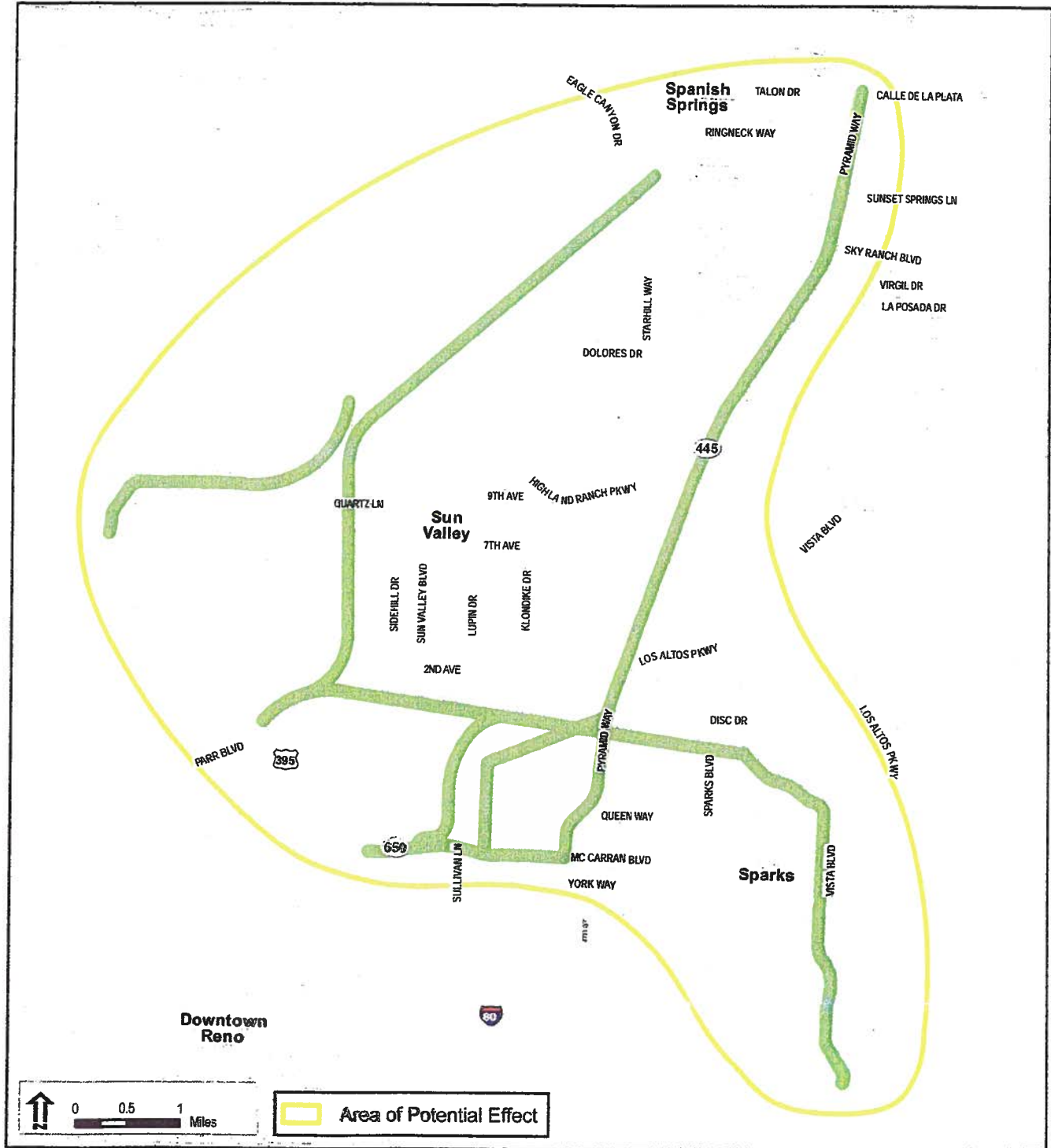


**PYRAMID
HIGHWAY**



**US 395
CONNECTION**

Level 2A Alternatives





U.S. Department
of Transportation
**Federal Highway
Administration**

705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Nevada State Museum
600 North Carson Street
Carson City, Nevada 89701

To Whom It May Concern:

The purpose of this letter is to invite the Nevada State Museum as an interested party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), identify any concerns the Nevada State Museum may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included. Please notify FHWA of any resources that the Nevada State Museum feels important to this EIS for the area.

Consultation between FHWA, the Nevada Department of Transportation (NDOT), the Washoe County Regional Transportation Commission (RTC), and the State Historic Preservation Office (SHPO) led to the definition of the geographical boundary for the preliminary Area of Potential Effect (APE). Enclosed for your review is a map showing the initial APE for cultural resource study which will initially entail a detailed records search (see enclosed exhibit).

The RTC has selected Jacobs Engineering Group (Jacobs) to assist it in preparing the EIS. Western Cultural Resource Management, Inc. (WCRM), a subcontractor to Jacobs for cultural resource issues, will facilitate consultation among the City, NDOT, and FHWA. The current APE for cultural resources is for the file search only and will change once the a reduced set of alternatives have been identified and developed to greater detail, such that potential impacts can be better defined.

As part of the EIS process, potential effects on cultural resources will be determined. The information will be used in evaluation of alternatives and can be kept confidential if you so



desire. We would appreciate the names and addresses of other persons who should be contacts for information. Please note that the appropriate Native American tribes are also being contacted.

As part of the facilitation process, WCRM will contact you by telephone within (2) weeks receipt of this letter to discuss your concerns. To facilitate your identification of questions and concerns about the project, WCRM will coordinate with FHWA to provide you with any additional information needed by you or your staff.

We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please contact me at (775) 687-1231.

Sincerely Yours,

A handwritten signature in blue ink that reads "a. a. Abdalla".

Abdelmoez A. Abdalla, Ph. D.
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

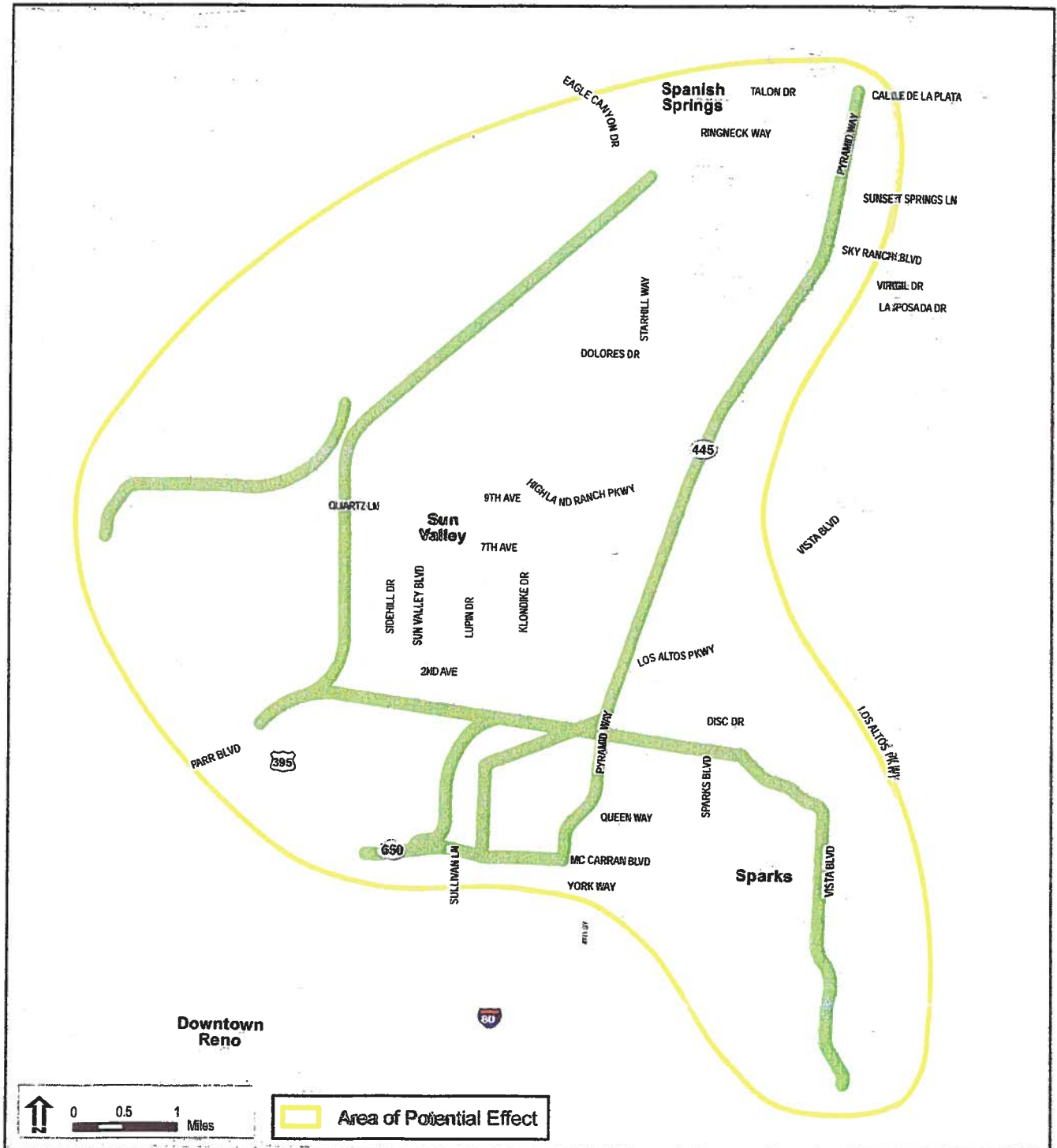


**PYRAMID
HIGHWAY**



**US 395
CONNECTION**

Level 2A Alternatives





705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Historic Reno Preservation Society (HRPS)
P.O. Box 14003
Reno, Nevada 89507

To Whom It May Concern:

The purpose of this letter is to invite the HRPS as an interested party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), identify any concerns the HRPS may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included. Please notify FHWA of any resources that the HRPS feels important to this EIS for the area.

Consultation between FHWA, the Nevada Department of Transportation (NDOT), the Washoe County Regional Transportation Commission (RTC), and the State Historic Preservation Office (SHPO) led to the definition of the geographical boundary for the preliminary Area of Potential Effect (APE). Enclosed for your review is a map showing the initial APE for cultural resource study which will initially entail a detailed records search (see enclosed exhibit).

The RTC has selected Jacobs Engineering Group (Jacobs) to assist it in preparing the EIS. Western Cultural Resource Management, Inc. (WCRM), a subcontractor to Jacobs for cultural resource issues, will facilitate consultation among the City, NDOT, and FHWA. The current APE for cultural resources is for the file search only and will change once the a reduced set of alternatives have been identified and developed to greater detail, such that potential impacts can be better defined.

As part of the EIS process, potential effects on cultural resources will be determined. The information will be used in evaluation of alternatives and can be kept confidential if you so desire. We would appreciate the names and addresses of other persons who should be contacts for information. Please note that the appropriate Native American tribes are also being contacted.



As part of the facilitation process, WCRM will contact you by telephone within (2) weeks receipt of this letter to discuss your concerns. To facilitate your identification of questions and concerns about the project, WCRM will coordinate with FHWA to provide you with any additional information needed by you or your staff.

We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please contact me at (775) 687-1231.

Sincerely Yours,

A handwritten signature in blue ink, appearing to read "a. a. abdalla".

Abdelmoez A. Abdalla, Ph. D.
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

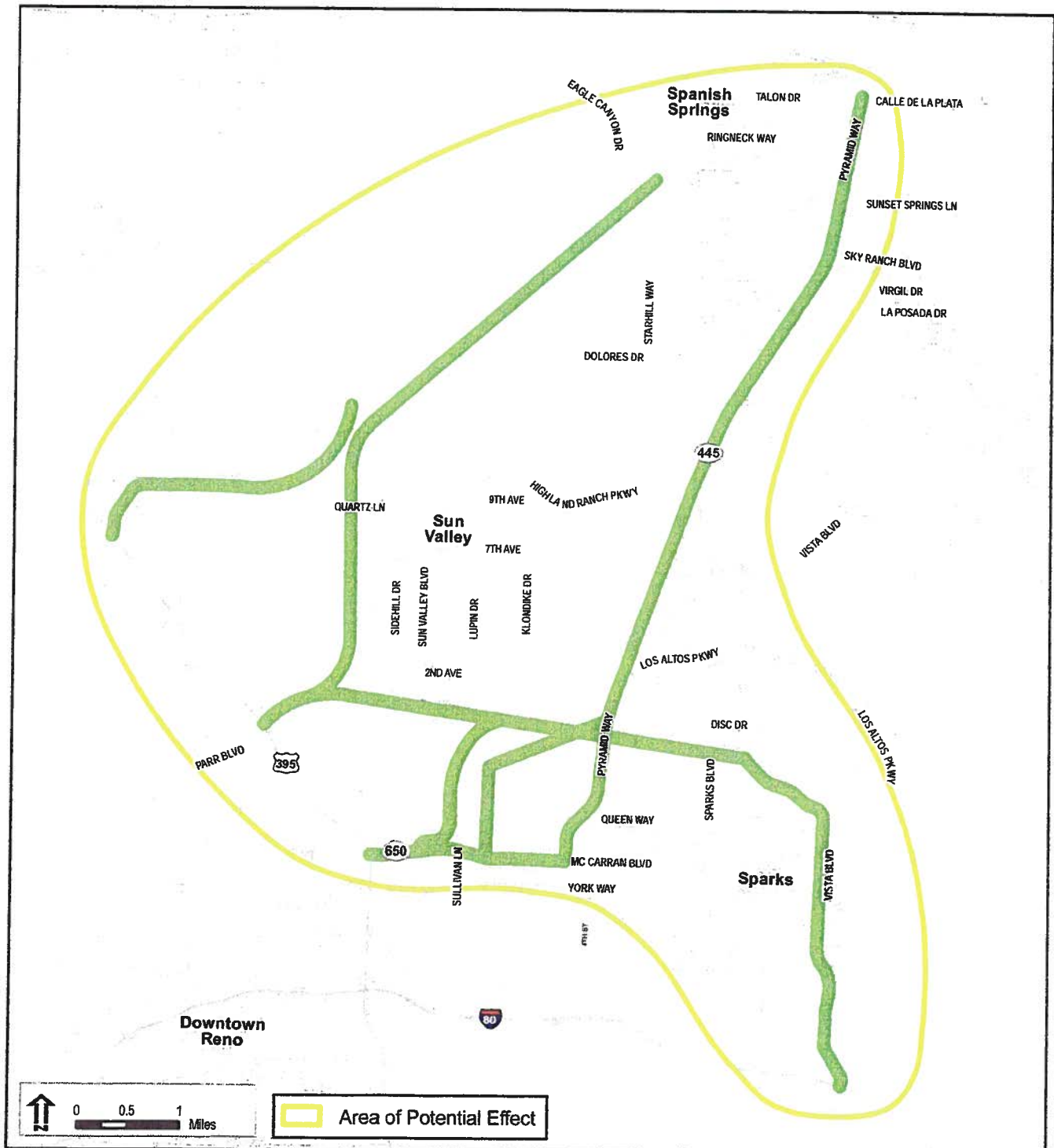


**PYRAMID
HIGHWAY**



**US 395
CONNECTION**

Level 2A Alternatives





705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for
the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Sparks Heritage Museum
820 Victorian Ave
Sparks, Nevada 89431

To Whom It May Concern:

The purpose of this letter is to invite the Sparks Heritage Museum as an interested party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), identify any concerns the Sparks Heritage Museum may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included. Please notify FHWA of any resources that the Sparks Heritage Museum feels important to this EIS for the area.

Consultation between FHWA, the Nevada Department of Transportation (NDOT), the Washoe County Regional Transportation Commission (RTC), and the State Historic Preservation Office (SHPO) led to the definition of the geographical boundary for the preliminary Area of Potential Effect (APE). Enclosed for your review is a map showing the initial APE for cultural resource study which will initially entail a detailed records search (see enclosed exhibit).

The RTC has selected Jacobs Engineering Group (Jacobs) to assist it in preparing the EIS. Western Cultural Resource Management, Inc. (WCRM), a subcontractor to Jacobs for cultural resource issues, will facilitate consultation among the City, NDOT, and FHWA. The current APE for cultural resources is for the file search only and will change once the a reduced set of alternatives have been identified and developed to greater detail, such that potential impacts can be better defined.

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desire. We would appreciate the names and addresses of other persons who should be contacts for information. Please note that the appropriate Native American tribes are also being contacted.

As part of the facilitation process, WCRM will contact you by telephone within (2) weeks receipt of this letter to discuss your concerns. To facilitate your identification of questions and concerns about the project, WCRM will coordinate with FHWA to provide you with any additional information needed by you or your staff.

We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please contact me at (775) 687-1231.

Sincerely Yours,

A handwritten signature in blue ink that reads "a. a. abdalla".

Abdelmoez A. Abdalla, Ph. D.
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

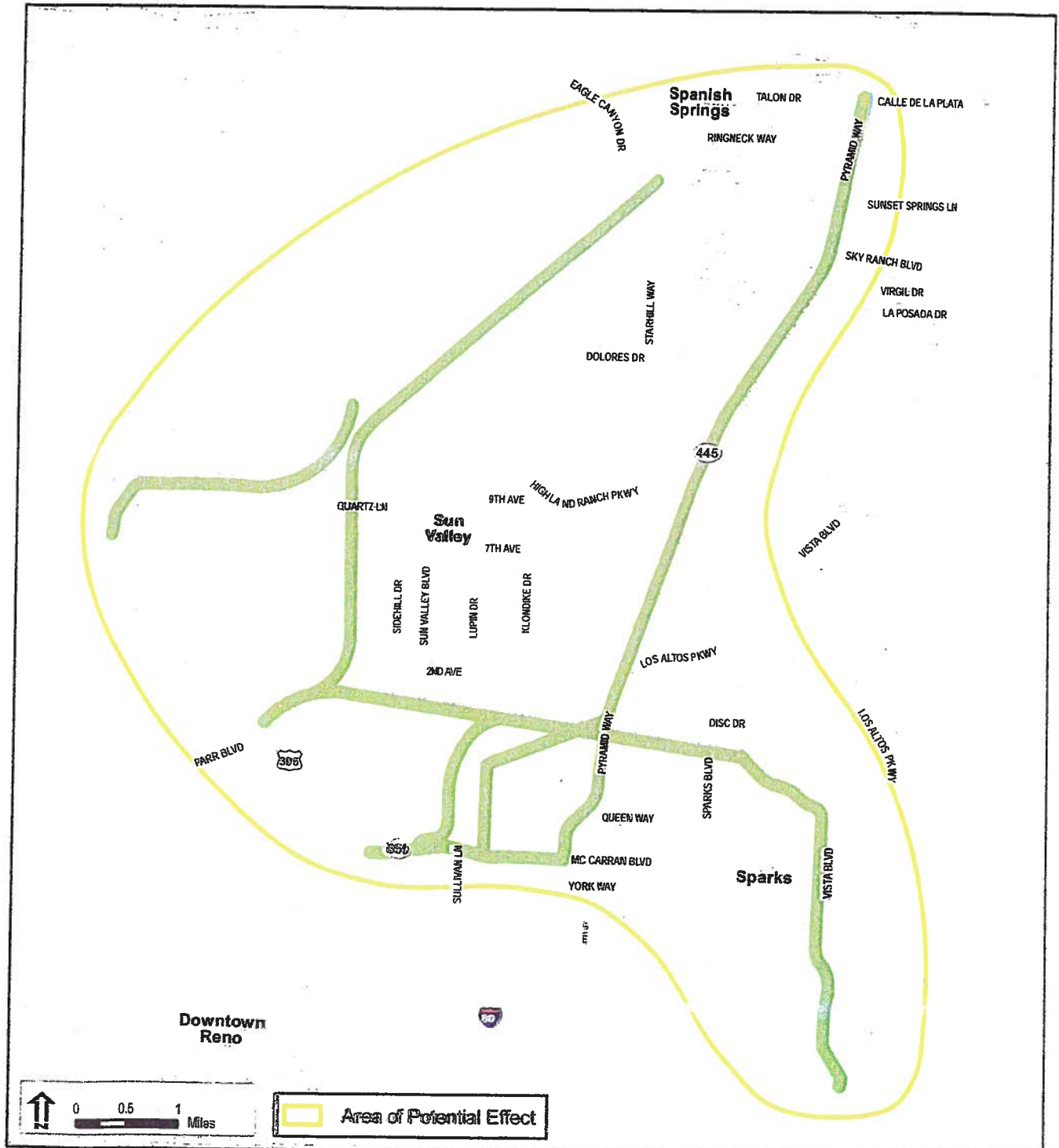


**PYRAMID
HIGHWAY**



**US 395
CONNECTION**

Level 2A Alternatives





705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Dr. David Rhode
Desert Research Institute
2215 Raggio Parkway
Reno, Nevada 89512

Dear Dr. Rhode:

The purpose of this letter is to invite you as an interested party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), identify any concerns you may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included. Please notify FHWA of any resources that you feel important to this EIS for the area.

Consultation between FHWA, the Nevada Department of Transportation (NDOT), the Washoe County Regional Transportation Commission (RTC), and the State Historic Preservation Office (SHPO) led to the definition of the geographical boundary for the preliminary Area of Potential Effect (APE). Enclosed for your review is a map showing the initial APE for cultural resource study which will initially entail a detailed records search (see enclosed exhibit).

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We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please contact me at (775) 687-1231.

Sincerely Yours,



Abdelmoez A. Abdalla, Ph. D,
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

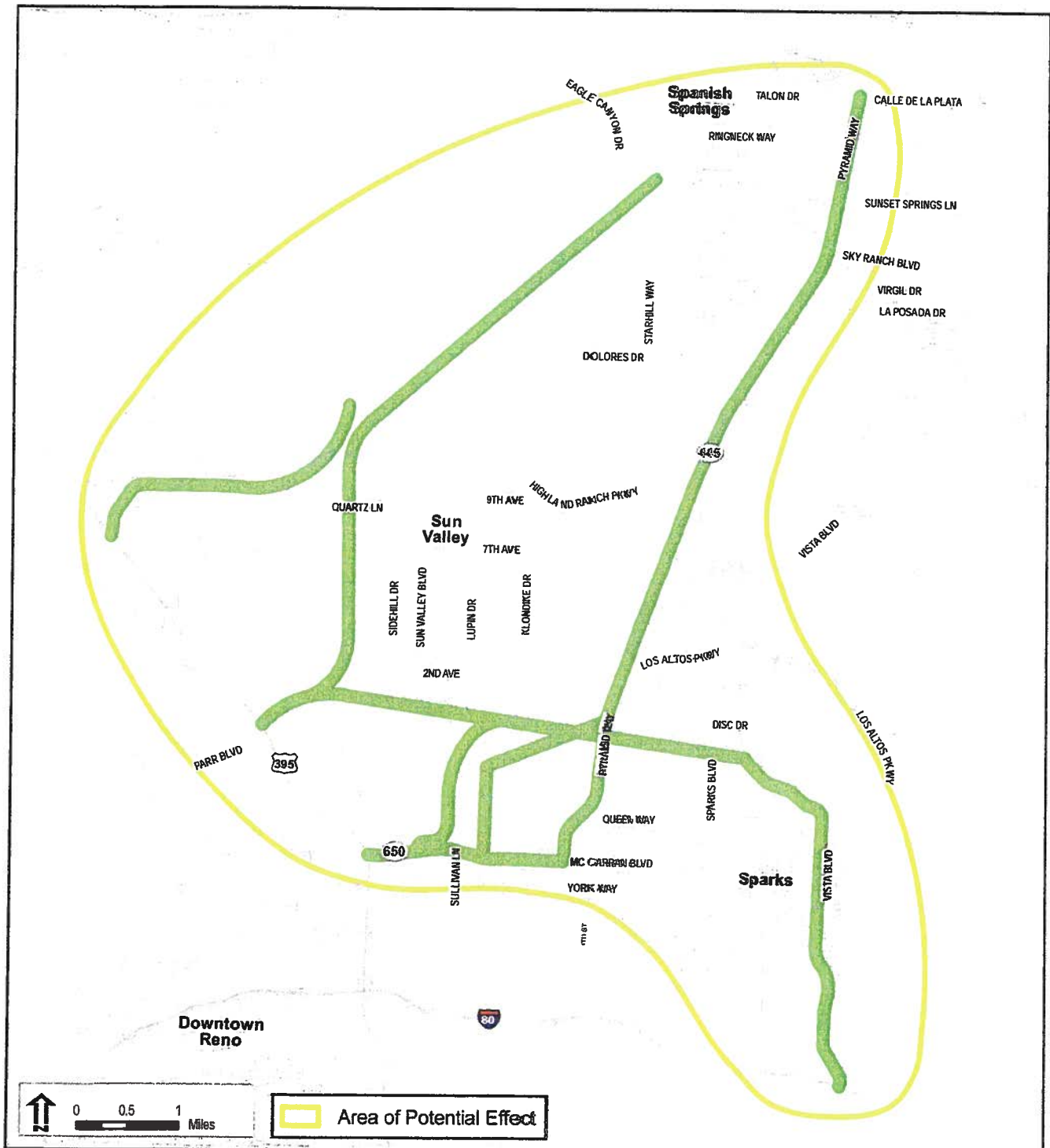


**PYRAMID
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**US 395
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Level 2A Alternatives





U.S. Department
of Transportation
**Federal Highway
Administration**

705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Mr. Don Hicks
Field Office Manager
Bureau of Land Management
5665 Morgan Mill Road
Carson City, Nevada 89701

Dear Mr. Hicks:

The purpose of this letter is to invite the Bureau of Land Management (BLM) to become a consulting party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), to identify any concerns the BLM may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included.

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AMERICAN
ECONOMY**



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We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please contact me at (775) 687-1231.

Sincerely Yours,

A handwritten signature in blue ink that reads "a. a. abdalla".

Abdelmoez A. Abdalla, Ph. D.
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

**Appendix A:
Agency Coordination**

SHPO Correspondence



705 North Plaza St. Suite 220
Carson City, NV 89701

February 5, 2009

Nevada Division

In Reply Refer To:
HENV-NV

Subject: Consultation Under the National Historic Preservation Act for Cultural Resources for the Pyramid Highway—US 395 Connection Environmental Impact Statement (EIS)

Mr. Ronald James
State Historic Preservation Officer and Historian
State Historic Preservation Office
100 N. Stewart Street
Carson City, Nevada 89701

Dear Mr. James:

The purpose of this letter is to invite the State Historic Preservation Office (SHPO) to become a consulting party under Section 106 of the National Historic Preservation Act (NHPA) and along with the Federal Highway Administration (FHWA), to identify any concerns the SHPO may have regarding the potential effects of the proposed Pyramid Highway – US 395 Connection Project on cultural resources. The purpose of the proposed project is to address regional mobility, congestion and safety challenges faced by motorists and pedestrians that travel Pyramid Highway between the Sparks urban area and Spanish Springs. The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive. It also includes an area extending more than approximately 5 miles, from east of Vista Boulevard west to Interstate 395 near the Parr/Dandini interchange. The area along Vista Boulevard to Interstate 80 also is included.

Consultation between FHWA, the Nevada Department of Transportation (NDOT), the Washoe County Regional Transportation Commission (RTC), and the SHPO led to the definition of the geographical boundary for the preliminary Area of Potential Effect (APE). Enclosed for your review is a map showing the initial APE for cultural resource study which will initially entail a detailed records search (see enclosed exhibit).

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We look forward to your response to this invitation and your potential role as a Section 106 consulting party on this project. If you have questions or would like to discuss in more detail the project or your agency's respective roles and responsibilities during the preparation of this document, please contact me at (775) 687-1231.

Sincerely Yours,

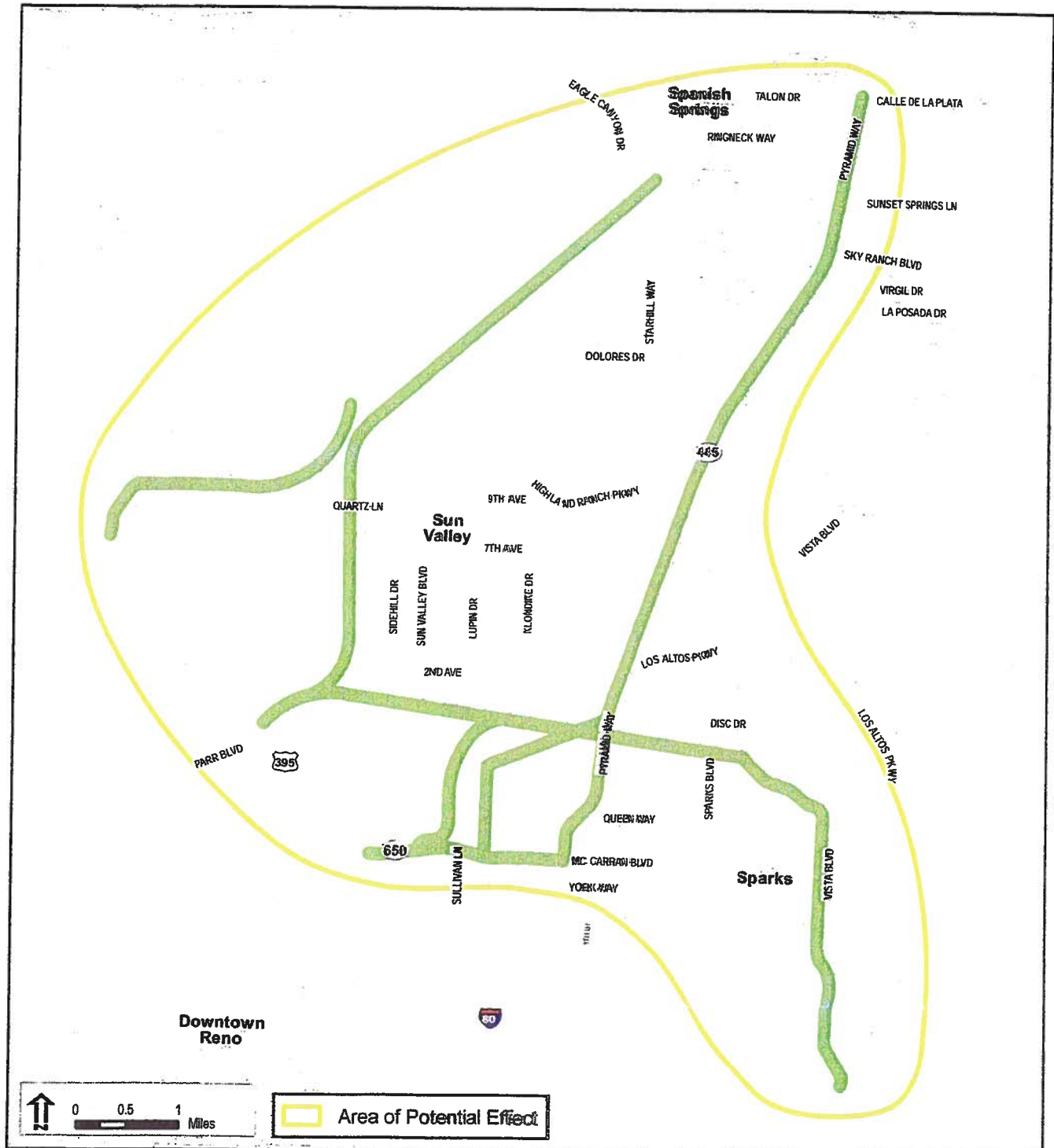


Abdelmoez A. Abdalla
Environmental Program Manager

Enclosure

cc: Cliff Creger, NDOT
S. Gilbert-Young, NDOT
Doug Maloy, RTC Washoe County

Level 2A Alternatives





U.S. Department
of Transportation
**Federal Highway
Administration**



Nevada Division

May 18, 2011

705 N. Plaza Street
Suite 220
Carson City, NV 89701
775-687-1204

In Reply Refer To:
HENV-NV

Ms. Rebecca Palmer
Nevada State Historic Preservation Office
100 N. Stewart Street
Carson City, Nevada 89701

**Subject: Request for Concurrence on Pyramid Highway/US 395 Connection Project, Washoe
County, Nevada EA: 73391**

Dear Ms. Palmer:

The Regional Transportation Commission of Washoe County (RTC), in cooperation with the Federal Highway Administration (FHWA) and the Nevada Department of Transportation (NDOT) is preparing an Environmental Impact statement (EIS) for the proposed improvements to Pyramid Way (SR 445) and to construct a new corridor from Vista Boulevard to US 395 in Washoe County, Nevada. FHWA requests that you review the information provided, and concur with FHWA's determinations for the Areas of Potential Effect for archaeological and historic architectural resources for the proposed project.

Project Purpose and Description

The purpose of the project is to relieve traffic congestion on the Pyramid Highway and provide improved east/west community connectivity from Pyramid way to US 395 and east to Vista Boulevard.

The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way to Calle de la Plata Drive. It also includes an area extending approximately 5 miles, from east of Vista Boulevard to US 395 near the Parr/Dandini interchange. The area along Vista Boulevard to US 395 is also included (see enclosed maps).

The project involves widening of the Pyramid Highway from Queen Way to Calle de la Plata Drive and construction of an interconnector highway from Pyramid Highway to US 395.

The major components of the project, including its alternatives might include:

- Construction of bridges (25' to 28' high) on Pyramid Highway over the following cross streets and locations:
 1. Eagle Canyon Road
 2. Delores Drive
 3. Lazy 5 Parkway
 4. Sparks Boulevard
 5. Golden View



6. Just north of Los Altos Parkway
 7. Northwest of the Pyramid Highway/Disc Drive Intersection (Bridge 17B)
 8. West of the Pyramid Highway/Disc Drive Intersection (Bridge 18)
 9. North of the Pyramid Highway/Disc Drive Intersection (Bridge 19)
- New alignment to the Pyramid Highway that would connect Pyramid Highway with US 395, north of McCarran Boulevard and through Sun Valley.
 - Construction of new local roads at the following locations:
 1. Extending Delores Drive and Tierra Del Sol Parkway to an unnamed road to the east.
 2. Connecting Blue Skies Drive with Blue Gem Circle with outlets to Evening Starr Drive and the Oasis Mobile Estate Mobile Home Park.
 - Widening and improvements of roads at the following locations:
 1. Disc Drive from Pyramid Highway to the Vista Boulevard
 2. Pyramid Highway between Disc Drive and Queen Way
 - Construction and substantial reconfiguration of interchanges at the following locations:
 1. US 395/Pyramid Highway interchange in the vicinity of the Parr Boulevard overpass, including five bridge structures up to 28' high
 2. Pyramid Highway, First Street and El Rancho Drive, including eight bridge structures up to 28' high

More information on the Pyramid Highway/US 395 Connection Project can be found on the project website: <<http://www.pyramidus395connection.com/index.html>>

Archaeology Area of Potential Effect

The archaeological Area of Potential Effect (APE), which includes the project alternatives footprint, is shown in the enclosed Archaeological APE Maps.

Historic Architectural Resource Area of Potential Effect

The historic architectural APE includes the project footprint (including the alternatives), adjacent parcels, and parcels that might be visually impacted by the project. There are 655 parcels in the APE and 617 acres (see enclosed Historic Architecture APE Maps).

If you have any questions, please feel free to call me at 775-687-1231.

Sincerely,



Abdelmoez A. Abdalla
Environmental Program Manager

Enclosure

cc: C. Cliff Creger, NDOT
Doug Maloy, RTC Washoe

cc: Andrew Soderborg, FHWA



U.S. Department
of Transportation
**Federal Highway
Administration**

Nevada Division

September 8, 2011

705 N. Plaza Street
Suite 220
Carson City, NV 89701
775-687-1204

In Reply Refer To:
HENV-NV

Ms. Rebecca Palmer
Deputy Historic Preservation Officer
State Historic Preservation Office
100 N. Stewart Street, Capitol Complex
Carson City, Nevada 89701

Subject: Pyramid Highway/US 395 Connection Project, Washoe County, EA: 73391;
WA11-009R

Dear Ms. Palmer:

Thank you for meeting with the project team on June 16, 2011 to discuss the Pyramid Highway/US 395 Connection project. As discussed in our meeting, this letter provides additional information about the project to supplement the request for concurrence on the Area of Potential Effect (APE) sent to you May 18, 2011. Specifically, more information on project alternatives that will be evaluated in the Environmental Impact Statement (EIS) and their potential effects are included. Enclosed are maps illustrating the project alternatives and parcels within the APE where impacts to NRHP-eligible or potentially NRHP-eligible resources may occur. At this time, FHWA requests that you review the additional information provided, and concur with FHWA's determination for the APE for Historic Architectural resources for the proposed project.

Project Description

The proposed study area extends 7.7 miles along Pyramid Highway from Queen Way north to Calle de la Plata Drive through the communities of Sparks and Spanish Springs. It also includes an area extending more than approximately 5 miles from Vista Boulevard west to US 395 near the Parr/Dandini interchange through the communities of Sparks and Sun Valley (see enclosed maps).

The project involves converting Pyramid Highway from an existing arterial¹ to a freeway² facility, arterial widening, and ancillary improvements from Queen Way to Calle de la Plata Drive, and construction of a new freeway facility and ancillary improvements from Pyramid

¹ Arterial - A class of roads serving major traffic movements (high-speed, high volume) for travel between major points.

² Freeway - A divided arterial highway designed for the unimpeded flow of large traffic volumes. Access to a freeway is rigorously controlled and intersection grade separations are required.



Highway to US 395. Moving from west to east and south to north, the major segments of the project and its alternatives are described below:

US 395 Interchange

Improvements involve widening to include one to two auxiliary lanes on US 395 at grade from approximately the McCarran Boulevard interchange north to approximately 1,500 feet north of the Parr / Dandini interchange. To increase interchange capacity³, the Parr / Dandini interchange would be replaced at its existing location and grade with a similar diamond-type⁴ service interchange. In addition, a new high-speed system interchange⁵ approximately 30 feet above the Parr / Dandini interchange would connect US 395 to the Pyramid Highway to the east. No high-speed movements are proposed to the west of US 395. Refer to the enclosed Overview Map and Detail 6 and Detail 7 maps.

Sun Valley Area

From the US 395 system interchange, the US 395 Connector would proceed east as a six-lane freeway with sizeable cuts and fills⁶ as it crosses the Red Hills north of the Desert Research Institute. As the alignment approaches Sun Valley, it would cross over Sun Valley Boulevard by approximately 30 feet. This crossing can occur at either of two locations: 1) the north crossing at 1st Avenue parallel to an existing powerline corridor, or 2) the south crossing approximately 500 feet north of the Dandini / El Rancho intersection using an undeveloped bluff to the east. Both of these crossing locations would converge at the same general location as they continue east of Sun Valley. Refer to Overview Map and Detail 6 map attached.

In addition to the Sun Valley crossing locations, four interchange options exist. The first two alternatives would be a typical tight diamond interchange connecting directly to Sun Valley Boulevard at one of the two crossing locations described above. The interchange would consist of a bridge approximately 30 feet above the existing Sun Valley Boulevard with ramps to/from the east and west directions, and ramp terminal⁷ intersections located about 500 feet apart. Refer to the enclosed Overview Map and Detail 6 map.

The second two alternatives consist of a modified partial cloverleaf⁸ service interchange west of Sun Valley proper to reduce potential property displacements. The West of Sun Valley interchange could be located coincident with either the southern or northern crossing of Sun Valley described above. Due to differences in grades, the interchange would consist of loop ramps to/from the west and diamond ramps to/from the east. This would result in a ramp terminal intersection spacing of approximately 1,300 feet. The interchange's location west of existing roadway facilities would require construction of a new two-lane arterial connection to

³ Capacity - A transportation facility's ability to accommodate a moving stream of people or vehicles in a given time period.

⁴ Diamond-type interchange - is a common type of road junction, used where a freeway crosses a minor road. The freeway itself is grade-separated from the minor road, one crossing the other over a bridge. Approaching the interchange from either direction, an off-ramp diverges only slightly from the freeway and runs directly across the minor road, becoming an on-ramp that returns to the freeway in similar fashion.

⁵ High-speed interchange - a interchange designed for speeds over 50 miles per hour.

⁶ Cuts and fills - In earthmoving, cut and fill is the process of constructing a road whereby the amount of material from cuts roughly matches the amount of fill needed to make nearby embankments, so minimizing the amount of construction labor.

⁷ Ramp terminal - where highway ramps end in an intersection.

⁸ Cloverleaf - A cloverleaf interchange is a two-level interchange in which left turns (in countries that drive on the right) are handled by loop roads (U.S.: ramps, UK: slip roads). To go left (in right-hand traffic), vehicles first continue as one road passes over or under the other, then exit right onto a one-way three-fourths loop ramp (270°) and merge onto the intersecting road.

Dandini Boulevard and a four-lane arterial connection to West 1st Avenue. The West of Sun Valley interchange could tie into the planned West Sun Valley Arterial, a regionally significant facility identified in the Washoe RTC Regional Transportation Plan. Located on the side of Red Hill, the West of Sun Valley interchange would be located above- and below-grade, requiring cuts and fills. Refer to the enclosed Overview Map and Detail 6 map.

Pyramid Corridor Alignments

East of the Sun Valley Area and north toward Sparks Boulevard, the six-lane US 395 Connector freeway would consist of one of three alignment alternatives: On-Alignment, Off-Alignment, and Ridge Alignment alternatives, as described below:

- The On-Alignment Alternative would continue east over the hills to the existing Pyramid Highway, dividing Sun Valley and Sparks. The existing Pyramid facility would be converted from a four-lane arterial to a six-lane freeway from just north of Disc Drive to Sparks Boulevard. Modified split diamond interchanges are proposed at Disc Drive and Golden View Drive, where the freeway would cross approximately 25 feet to 30 feet above the existing grade and consist of ramp terminal intersections located approximately 350 feet apart. The area between these interchanges would be connected by frontage roads⁹. The frontage roads would parallel the freeway facility, generally be at-grade¹⁰ (retaining wall-separated), and create a project footprint approximately 350 feet to 500 feet wide through this section. The mainline freeway would vary in height throughout this section, from a maximum of 30 feet at interchange crossings, to a minimum of 5 feet between interchanges. Refer to the enclosed Overview Map and Detail maps 3 through 5.
- The Off-Alignment Alternative would avoid many of the property impacts associated with improving the existing developed corridor. This would be accomplished by turning the six-lane freeway facility northward as it approaches the Pyramid corridor from the west. The alignment generally would be just below the eastern ridgeline of the mountains but west of most of the Pyramid corridor development. This would require sizeable cuts and fills as the alignment hugs the ridgeline, which would create visual impacts. An interchange with a westward extension of Disc Drive would be located approximately 0.5 miles west of the commercial core, and an interchange with existing Pyramid Highway would be located approximately 1,500 feet south of Sparks Boulevard. Refer to the enclosed Overview Map and Detail 4 and Detail 5 maps.
- The Ridge Alignment Alternative is similar to the Off-Alignment Alternative, except that it would be located farther to the west behind the eastern ridgeline. The Ridge

⁹ Frontage Roads - A frontage road (also access road, service road, and many other names) is a non-limited access road running parallel to a higher-speed road, usually a freeway, and feeding it at appropriate points of access (interchanges). In many cases, the frontage road is a former alignment of a road already in existence when the limited-access road was built.

¹⁰ At-grade - An at-grade intersection is a junction at which two or more transportation axis cross at the same level (or grade).

Alignment Alternative would create fewer visual impacts than the Off-Alignment Alternative, but would be located farther from commercial and residential development. Similar to the Off-Alignment Alternative, the Ridge Alignment Alternative would include an interchange with the Disc Drive extension over 0.5 miles west of the commercial core and with the existing Pyramid Highway approximately 1,500 feet south of Sparks Boulevard. Refer to the enclosed Overview Map and Detail 4 and Detail 5 maps.

The three Pyramid corridor alignment alternatives described above would require additional improvements in this segment of the project area. Disc Drive would be widened from four lanes to six lanes at-grade from Pyramid Highway to Vista Boulevard. In addition, a new six-lane extension of Disc Drive would connect the Pyramid Highway / Disc Drive intersection with a new US 395 Connector / Disc Drive interchange. The exact location and layout of this interchange varies with each Pyramid corridor alignment alternative. The Disc Drive extension would generally be located below the existing grade, varying between 50 feet to 175 feet below grade. In addition, Pyramid Highway would be widened from four lanes to six lanes at-grade between Queen Way and Los Altos.

Pyramid Northerly Interchanges and Terminus

One build alternative is being considered from Sparks Boulevard to the north end of the project. It would consist of a six-lane elevated freeway from Sparks Boulevard to just north of the Eagle Canyon / La Posada intersection, and a six-lane arterial at-grade to Calle de la Plata. The freeway would be elevated, and would vary between five feet to ten feet in height between interchanges. Interchanges would consist of the freeway crossing over the local roadway at a height of approximately 25 feet to 30 feet. Refer to Overview Map and Detail maps 1-3 attached.

Interchanges would consist of a split diamond interchange from Sparks Boulevard to Lazy 5 Parkway, connected by frontage roads. The frontage roads would create a 350- to 500-foot-wide overall footprint. The frontage roads would be constructed at-grade and would be separated from the mainline freeway by retaining walls. A split diamond configuration is proposed between the Dolores Drive and Eagle Canyon / La Posada interchanges. The frontage roads would create a 350- to 500-foot-wide overall freeway footprint. The frontage roads would be at-grade and separated from the mainline freeway by retaining walls.

Other Project Components

In addition to the roadway improvements described above, other transportation improvements are proposed. These include bicycle/pedestrian facilities, ranging from bicycle lanes and sidewalks to multi-use paths along portions of the alignment. Bicycle facilities would generally be located at the same grade as adjoining roadway improvements. Park-and-Ride lots of approximately one acre are proposed in the southeast quadrant of the Pyramid Highway / Calle de la Plata intersection, the southeast quadrant of the Pyramid Freeway / Eagle Canyon / La Posada interchange, and as a shared lot with the existing Wal-Mart parking lot. Increased transit service and Intelligent Transportation System (ITS) improvements are included, which would have a negligible effect on the project footprint and viewshed.

Areas of Potential Effect (APE)

The Archaeological Area of Potential Effect (APE) will be submitted later in the process once more design information is available.

The Historic Architectural Resource APE for direct and indirect impacts includes the project footprint, adjacent parcels, and parcels that might be visually impacted by the project. The direct impacts will be parcels that will experience takes due to construction of the new highway.

The indirect impacts would include visual effects to properties from construction of the transportation facilities. Visual impacts generally exceed in range the auditory impact (traffic noise analyses focus on parcels adjacent to, or one parcel from, the right-of-way). The project is not expected to induce development that would expand the APE beyond those areas stated above. In terms of induced development, this project includes two types of roadway improvements: improvements to existing roads, or construction of new roads. New road construction for this project generally would occur on steeper slopes in BLM-owned property and/or zoned open space. These areas are not likely to be developed in the reasonably foreseeable future due development restrictions and the costs associated with, developing lands on steep slopes, especially when there are currently a large number of vacant commercial buildings available.

New development, as a result of improvements to existing roads, is not expected to exceed the visual APE range because: 1) there is existing available commercial space on Pyramid Highway, 2) the likelihood that development would be commercial along the existing road, 3) development would be as far from the proposed alignment as current development, and 4) the cost of leveling any new parcel in the APE.

The APE includes 702 parcels in the APE and 631 acres (see enclosed maps). The cutoff date for structures warranting further evaluation for eligibility for listing on the National Register of Historic Places (NRHP) is 1971. This 40-year cut-off date may give the Environmental Impact Statement (EIS) a longer "shelf-life."

Methodology

NDOT reviewed Washoe County Assessors Department data regarding structure age and identified 11 parcels to be included in the visual/historic architectural APE based on the project alternative alignments. A reconnaissance survey of those parcels was conducted in June 2011 from public rights-of-way and other public spaces. The survey attempted to identify the total number of buildings on a parcel and their relationship to each other, gathered basic descriptive data on their materials and methods of construction to the extent possible, and photographed each building when possible.

Next Steps:

- **Prepare Programmatic Agreement:** A Programmatic Agreement (PA) will be prepared that describes the process by which Section 106 will be accomplished for the project, who is responsible, and when activities will take place. This will allow archaeological site recordation to occur after completion of the Draft EIS but prior to completion of the Final EIS. Further, should design changes warrant additional archaeological investigation, the PA would outline the process for completing Section

106 documentation, subsequent to the Record of Decision (ROD). The PA will be appended to the EIS.

- **Archaeology Inventory:** An Archaeological inventory will be conducted according to Class III standards. Recordation and evaluation of sites will use Appendices D and E from the State Protocol Agreement between the Bureau of Land Management, Nevada, and the Nevada State Historic Preservation Office for Implementing the National Historic Preservation Act, Finalized October 26, 2009.
- **Architectural Inventory:** An architectural inventory of the APE will be completed by Western Cultural Resource Management, Inc. The report will evaluate all pre-1972 buildings in the APE using a Historic Resource Inventory Form.

If you have any questions, please feel free to call me at 775-687-1231.

Sincerely,



Abdelmoez A. Abdalla
Environmental Program Manager

Enclosure

cc: C. Cliff Creger, NDOT
ec: Andrew Soderborg, FHWA

LEO M. DROZDOFF, P.E.
Director
Department of Conservation and
Natural Resources

RONALD M. JAMES
State Historic Preservation Officer

BRIAN SANDOVAL
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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION OFFICE

October 11, 2011

Abdelmoez Abdalla, Environmental Program Manager
US Department of Transportation
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

Re: *Architectural* Area of Potential Effect and Project Description for
Pyramid Highway/US 395 Connection Project, Washoe County, Nevada
EA: 73391
WA11-009R
SHPO Undertaking Number: 2010-0884

Dear Mr. Abdalla,

The Nevada State Historic Preservation Office (SHPO) has reviewed the subject undertaking for compliance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. Based on the information submitted in correspondence from FHWA dated September 8, 2011 (received September 12th) the project consists of converting Pyramid Highway from an existing arterial to a freeway and constructing a new freeway from Pyramid Highway to US 395.

Area of Potential Effect (APE)

The SHPO concurs with the *Architectural* APE as defined in the above referenced correspondence and as illustrated in the APE Map Overview.

Project Description

The SHPO has reviewed the expanded project description. Based on the submitted information, including maps and correspondence, the SHPO understands the following. If this understanding is inaccurate, please clarify.

- The Parr/Dandini Interchange, which is labeled on the map, will be replaced with the 395 System Interchange, which is described in the project description.
- Per APE Map Detail 5, Pyramid Highway appears to be labeled as Sun Valley Boulevard.

Abdalla
October 11, 2011
Page 2

For future correspondence, please label all alternatives on the maps to ensure that the written correspondence and maps correlate. The SHPO notes that the 3 different Pyramid Corridor Alignments (On, Off, and Ridge) are labeled individually in Map Details 4, 5. However, in the Sun Valley Area, the four different alternatives in Map Detail 6 are not individually identified. Please label Alternatives 1 through 4, should they be referenced in future correspondence.

Resource Identification

Regarding *architectural* resources, those constructed in 1972 or earlier will be documented utilizing Nevada's Historic Resource Information Form (HRIF). The APE includes 702 parcels and 631 acres. Had a buffering system, instead of a parcel system, been utilized to document the APE, perhaps fewer acres or properties would have been surveyed.

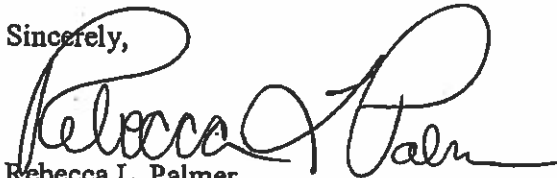
Regarding *archaeological* resources, the SHPO notes that the APE and the corresponding inventory will be submitted once the design information is available.

Programmatic Agreement

At this time, the SHPO concurs with the *Architectural* APE and awaits a draft copy of the Programmatic Agreement (PA).

If you have questions regarding the architectural contents of this correspondence, please contact Sara Fogelquist, Architectural Historian, at 775-684-3427 or sfogelquist@nevadaculture.org.

Sincerely,



Rebecca L. Palmer
Deputy State Historic Preservation Officer

cc: C. Cliff Creger, NDOT



U.S. Department
of Transportation
**Federal Highway
Administration**

Nevada Division

February 28, 2012

705 N. Plaza Street, Suite 220
Carson City, NV 89701
Phone 775 687-1204
Fax 775 687-3803

In Reply Refer To:
HENV-NV

Ms. Rebecca Palmer
Deputy Historic Preservation Officer
State Historic Preservation Office
901 S. Stewart Street, Suite 5004
Carson City, Nevada 89701

Subject: Pyramid-US 395 Connector, Reno, Washoe County, Nevada
EA # 73390 & 73391; FHWA # DE-0191(065) & DE-0191(067)
SHPO Undertaking #2010-0884

Dear Ms. Palmer:

The Federal Highway Administration (FHWA), the Nevada Department of Transportation (NDOT), and the Regional Transportation Commission of Washoe County (RTC) propose a project to improve traffic flow along the Pyramid Highway from Queen Way to Calle de la Plata Drive. The project will also include a connector route from US 395 to the Pyramid Highway through the Sun Valley neighborhood in the northwestern portion of the Reno metro area. At this time, the FHWA requests that you review the enclosed materials and concur with the FHWA eligibility determinations for architectural resources.

The enclosed Historic Architectural survey report was prepared by Western Cultural Resource Management (WCRM), Inc. The report is titled: *Architectural Inventory: Pyramid Highway/US 395 Connection Project, Sparks, Washoe County, Nevada*. The report evaluated historic architectural resources that are within the project's Area of Potential Effect (APE). Your office concurred on the project's APE in a letter dated October 11, 2011.

Identification of Historic Properties

WCRM, Inc. prepared 34 Historic Resource Inventory Forms (HRIFs) and three Historic District Forms for this report. Individual HRIFs completed for properties within a recommended historic district are included in the total count of HRIFs.

Two previously evaluated linear resources were re-evaluated for this report: the Orr Ditch and the Prosser Ditch. The Orr Ditch was previously determined eligible to be listed in the National Register of Historic Places (NRHP). The segments of the Orr Ditch that are in the Pyramid US 395 connector project's APE were re-evaluated and found to be non-contributing elements. The

re-evaluation is addressed in Appendix C of the survey report. No HRIF was prepared for this previously evaluated resource.

The Prosser Ditch was also previously evaluated and determined to be eligible. The three segments of the Prosser Ditch that are in the Pyramid US 395 connector project's APE were re-evaluated. The report recommends that segments A and B are non-contributing elements to the Prosser Ditch, while segment C was recommended as a contributing element. An HRIF was prepared for the Prosser Ditch.

Please note that three additional buildings in the APE were old enough to warrant an HRIF; however, no HRIF was prepared because these buildings are being evaluated as part of another FHWA architectural inventory report for the Pyramid-McCarran Intersection project. FHWA will consult with SHPO on the eligibility of the following buildings at a later date:

- Reno Arch Missionary Church/Baik Building located at 620 Queen Way, Sparks; built in 1904 (APN 2801140).
- Sparks Christian Church located at 560 Queen Way, Sparks; built in 1965 (APN 2801139).
- Matthew H. Gibbons House/Van Meter House located at 5745 Wedekind Rd, Sparks; built in 1963 (APN 2801203).

Determination of Eligibility

The report recommends three historic districts and two linear resources as eligible for the NRHP. The following table lists the eligible properties and FHWA's eligibility determination:

Name	Consultant's Eligibility Recommendation	FHWA's Eligibility Determination	Notes
Trosi Family/Kiley Ranch Historic District	Eligible A, C	Eligible A, C	4 contributing properties / 0 non-contributing properties, 6.6 acres
Iratcabal Farm Historic District	Eligible A, C	Eligible A, C	10 contributing properties / 0 non-contributing properties, 5.18 acres
Sierra Vista Ranch Historic District	Eligible A, C	Eligible A, C	8 contributing properties / 5 non-contributing or unevaluated properties, 8.6 acres
Prosser Valley Ditch	Eligible A, B	Eligible A, B	Previously evaluated and determined eligible. One contributing segment, two non-contributing segments
Old Pyramid Highway	Eligible A	Not Eligible	Segment A is 0.27 miles long and Segment B is 0.15 miles long.

The FHWA reached a different conclusion on the eligibility of the Old Pyramid Highway. The FHWA has determined that the Old Pyramid Highway does not retain sufficient integrity to convey its historical associations. A detailed justification of FHWA's eligibility determination is included on the HRIF coversheet for the Old Pyramid Highway. Attached to this letter is a list of FHWA's eligibility determinations for all of the properties that were evaluated.

The report recommends that the project will have an adverse effect on some of the NRHP eligible properties and proposes mitigation measures. The FHWA is only requesting SHPO's concurrence on the findings of eligibility for architectural resources. A request for concurrence on the entire project's effect will be made after the archaeological survey and Native American consultations are complete.

If you have any questions, please contact Elizabeth Dickey of NDOT at 775-888-7478 or myself at 775-687-1231.

Sincerely,



Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures: Report, photographs & negatives, archival CD

cc: C. Cliff Creger (NDOT)
Jim Carter (BLM)
Andrew Soderborg (FHWA)

Federal Highway Administration Eligibility Determination

Justification

The contractor recommended two segments of the 1934-1935 Old Pyramid Highway as eligible for the National Register of Historic Places (NRHP) under Criteria A because the road is associated with events important to local history as a main highway in the region leading to Pyramid Lake from Reno, and because these are the only known segments of the road.

The FHWA has determined that Segment A and Segment B of the Old Pyramid Highway are not eligible for the NRHP because the two segments no longer retain sufficient integrity to convey their historical associations.

Integrity

Integrity is not only important to a resource being evaluated under Criteria C, it is also necessary for a resource being evaluated under Criteria A. A resource may have associations with the broad patterns of history; however, if the integrity of the resource is so low that it cannot convey those associations, then it does not meet the requirements for being eligible for listing on the NRHP (NPS 1997:12).

The character defining features of a mid 1930s-era highway in Nevada are:

- Related signage and road markers
- Original alignment
- Culverts constructed of rubble masonry
- Asphalt paved surface
- Original roadway dimensions
- Integrity of setting

These are the essential physical features that must be present for a historic road to represent its significance. The integrity of setting is particularly vital. By their nature, roads are connected to the landscape and the setting. The points they link are as important as the scenery that passes by on the journey. The surrounding human built and natural landscape must retain enough integrity to convey the feeling of the road's historic-era.

The Old Pyramid Highway has no related signage or road markers. A metal pipe embedded in a rock cairn may be a marker that was associated with the road; however, its original function is not evident from the physical remains. The two segments of road represent the original 1934-1935 alignment of the road. A small culvert with granite masonry remains. Most of the asphalt has deteriorated to the point that it is no longer identifiable as asphalt. The original roadway dimensions of about 23 feet wide are discernible, though many sections have become overgrown and it is difficult to decide where exactly the roadbed ends and the ground begins. The setting of the road has changed from rural, undeveloped land to modern commercial areas with a large highway--the modern Pyramid Highway--traveling over parts of the historic route of the Pyramid Highway. The Old Pyramid Highway does not retain most of the character defining features and the features it does retain have poor integrity. The stone culvert would be the exception. The culvert appears to have good integrity of design, workmanship and materials, though the presence of a culvert alone is not enough to make a road segment eligible for the NRHP.

Federal Highway Administration Eligibility Determination

Design: Nevada FHWA recommends that at least one mile of road is necessary to convey the original design of a historic road. The essence of a road is that it travels *through* a landscape. Segments of road shorter than one mile lack the essential quality of a road, especially in areas of relatively level terrain such as the Old Pyramid Highway. Segment A is .27 miles long and Segment B is .15 miles long. Even added together they do not have the length needed to suggest the sense of distance the road once had.

Materials: The condition of a historic resource may be poor without affecting the integrity. However, in the case of the Old Pyramid Highway, the condition is so deteriorated that character defining features of the highway, such as asphalt, are missing.

Location: The two segments of road (.42 miles) retain integrity of location.

Workmanship: Extreme deterioration of the road has diminished the levels of integrity of workmanship. A small culvert, faced with granite ashlar is the only remaining element of the road that displays historic workmanship. The rest of the road has poor integrity of workmanship.

Setting: The Historic Resource Inventory Form documents that the road segments have had "significant loss of their original setting and feeling due to nearby modern development." Commercial development and the nearby modern Pyramid Highway have significantly changed the historically rural setting of the road.

Feeling: The changes to the setting, coupled with the poor integrity of the resource leave the road with no expression of aesthetic or historic sense of a particular time period.

The National Park Service advises that good integrity is essential for a property to convey its historical significance and association. While the Old Pyramid Highway may be locally significant for its historic role in connecting the Spanish Springs area to the Reno-Sparks area, these two segments of the Old Pyramid Highway are unable to convey this association because of severe deterioration and urban development of the setting.

National Park Service

1997 *National Register Bulletin: How to Apply the National Register Criteria for Evaluation.*
U.S. Department of the Interior.

APN	Name	Address	Dir	Street	City	Zip Code	Acres	Built	Consultant's Eligibility Recommendation	FHWA's Eligibility Determination	Notes
1 3506306	Flavia Neyes House/ Barbara Eustaquio House	4728	E	Leonisio Dr	Sun Valley	89433	>1	1971	Not Eligible	Not Eligible	HRIF prepared
2 3526110	Iratcabal Farm Historic District	2710		Spanish Springs Rd	Sparks	89436	5.18	1930 - c 1960	Eligible A, C	Eligible A, C	Historic District Form prepared
3 33526110	Iratcabal Farm House	2710		Spanish Springs Rd	Sparks	89436	>1	1945	Not individually eligible. Contributing element to Iratcabal Farm Historic District	Not individually eligible. Contributing element to Iratcabal Farm Historic District	HRIF prepared
4 3526110	Iratcabal Farm Bunkhouse	2710		Spanish Springs Rd	Sparks	89436	>1	1945	Not individually eligible. Contributing element to Iratcabal Farm Historic District	Not individually eligible. Contributing element to Iratcabal Farm Historic District	HRIF prepared
5 3526110	Iratcabal Mobile Home	2710		Spanish Springs Rd	Sparks	89436	>1	1956	Not individually eligible. Contributing element to Iratcabal Farm Historic District	Not individually eligible. Contributing element to Iratcabal Farm Historic District	HRIF prepared
6 3526110	Iratcabal Farm Outhouse	2710		Spanish Springs Rd	Sparks	89436	>1	1930	Not individually eligible. Contributing element to Iratcabal Farm Historic District	Not individually eligible. Contributing element to Iratcabal Farm Historic District	HRIF prepared

APN	Name	Address	Dir	Street	City	Zip Code	Acres	Built	Consultant's Eligibility Recommendation	FHWA's Eligibility Determination	Notes
7 3526110	Iratcabal Farm Garage	2710		Spanish Springs Rd	Sparks	89436	>1	1945	Not individually eligible. Contributing element to Iratcabal Farm Historic District	Not individually eligible. Contributing element to Iratcabal Farm Historic District	HRIF prepared
8 3526110	Iratcabal Farm Dairy Barn	2710		Spanish Springs Rd	Sparks	89436	>1	1930	Not individually eligible. Contributing element to Iratcabal Farm Historic District	Not individually eligible. Contributing element to Iratcabal Farm Historic District	HRIF prepared
9 3526110	Iratcabal Farm Livestock Shed	2710		Spanish Springs Rd	Sparks	89436	>1	1950	Not individually eligible. Contributing element to Iratcabal Farm Historic District	Not individually eligible. Contributing element to Iratcabal Farm Historic District	HRIF prepared
10 3526110	Iratcabal Farm Shed	2710		Spanish Springs Rd	Sparks	89436	>1	1956	Not individually eligible. Contributing element to Iratcabal Farm Historic District	Not individually eligible. Contributing element to Iratcabal Farm Historic District	HRIF prepared
11 3526110	Iratcabal Farm Metal Shed	2710		Spanish Springs Rd	Sparks	89436	>1	1960 ^c	Not individually eligible. Contributing element to Iratcabal Farm Historic District	Not individually eligible. Contributing element to Iratcabal Farm Historic District	HRIF prepared

APN	Name	Address	Dir	Street	City	Zip Code	Acres	Built	Consultant's Eligibility Recommendation	FHWA's Eligibility Determination	Notes
12 3526110	Iratcabal Farm Pumphouse	2710		Spanish Springs Rd	Sparks	89436	>1	1945	Not individually eligible. Contributing element to Iratcabal Farm Historic District	Not individually eligible. Contributing element to Iratcabal Farm Historic District	HRIF prepared
13 3511106	Oliver & Beth Maddox House/ Patricia Mitchell House	5051		Sagebrush Dr	Sun Valley	89433	>1	1961	Not Eligible	Not Eligible	HRIF prepared
14 8329101	Oasis Mobile Home Estates	6550		Pyramid Way	Sparks	89436	14.8	1965	Not Eligible	Not Eligible	Trail Park HRIF prepared
15 3506407	Mary McGuire House/ Richard N. & Carol S. Paris House	4870		Skaggs Cr	Sun Valley	89433	>1	1963	Not Eligible	Not Eligible	HRIF prepared
16 3518203, 8306110	Old Pyramid Hwy	NA		Pyramid Hwy	Sparks	89436	1	1934-1935	Eligible A	Not Eligible	HRIF prepared
17 52802016	Pyramid & Bank Produce Shed/ Naniloa Invention Co. Produce Shed	7900		Pyramid Way	Sparks	89436	>1	1925	Not Eligible	Not Eligible	HRIF prepared
18 52803012	Sierra Vista Ranch Historic District	NA		Pyramid Way	Sparks	89436	8.6	1915-1954	Eligible A, C	Eligible A, C	Historic District Form prepared
19 52803012	Sierra Vista Ranch House	NA		Pyramid Way	Sparks	89436	>1	1953	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	HRIF prepared

APN	Name	Address	Dir	Street	City	Zip Code	Acres	Built	Consultant's Eligibility Recommendation	FHWA's Eligibility Determination	Notes
20 52803012	Sierra Vista Ranch Garage 1	NA		Pyramid Way	Sparks	89436	>1	1940	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	HRIF prepared
21 52803012	Sierra Vista Ranch Garage 2	NA		Pyramid Way	Sparks	89436	>1	1949	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	HRIF prepared
22 52803012	Sierra Vista Ranch Barn	NA		Pyramid Way	Sparks	89436	>1	1940	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	HRIF prepared
23 52803012	Sierra Vista Ranch Livestock Barn	NA		Pyramid Way	Sparks	89436	>1	1954	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	HRIF prepared
24 52803012	Sierra Vista Ranch Shed 1	NA		Pyramid Way	Sparks	89436	>1	1915	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	HRIF prepared

Pyramid Interconnector: Historic Resource Inventory Forms and Historic District Forms

APN	Name	Address	Dir	Street	City	Zip Code	Acres	Built	Consultant's Eligibility Recommendation	FHWA's Eligibility Determination	Notes
25 52803012	Sierra Vista Ranch Shed 2	NA		Pyramid Way	Sparks	89436	>1	1940	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	HRIF prepared
26 52803012	Sierra Vista Ranch Butler Bin	NA		Pyramid Way	Sparks	89436	>1	1950	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	Not individually eligible. Contributing element to Sierra Vista Ranch Historic District.	HRIF prepared
27 3511214	Anthony Avellano House/ Phillip & Anita Tate House	5045		Sunflower Dr	Sun Valley	89433	>1	1971	Not Eligible	Not Eligible	HRIF prepared
28 8383059	Trosi Family/Kiley Ranch Historic District	7000		Sparks Blvd	Sparks	89436	6.6		Eligible A, C	Eligible A, C	Historic District Form prepared
29 8383059	Trosi Family Ranch/Dundrea House	7000		Sparks Blvd	Sparks	89436	>1	1920	Not individually eligible. Contributing element to Trosi Family Ranch Historic District.	Not individually eligible. Contributing element to Trosi Family Ranch Historic District.	HRIF prepared

APN	Name	Address	Dir	Street	City	Zip Code	Acres	Built	Consultant's Eligibility Recommendation	FHWA's Eligibility Determination	Notes
30	Trosi Family Ranch "L" Barn	7000		Sparks Blvd	Sparks	89436	>1	1930	Not individually eligible. Contributing element to Trosi Family Ranch Historic District.	Not individually eligible. Contributing element to Trosi Family Ranch Historic District.	HRIF prepared
31	Trosi Family Ranch Livestock Shed	7000		Sparks Blvd	Sparks	89436	>1	1940	Not individually eligible. Contributing element to Trosi Family Ranch Historic District.	Not individually eligible. Contributing element to Trosi Family Ranch Historic District.	HRIF prepared
32	Trosi Family Ranch Chicken House	7000		Sparks Blvd	Sparks	89436	>1	1940	Not individually eligible. Contributing element to Trosi Family Ranch Historic District.	Not individually eligible. Contributing element to Trosi Family Ranch Historic District.	HRIF prepared
33	Vickie Tonner House/ Ronald C. Tonner House	4710	W	Leonesio Dr	Sun Valley	89433	>1	1982	Not Eligible	Not Eligible	HRIF prepared
34	Sandra Vantilborg Home/ W.E. & S.K. Neeld Home	4850		Leonesio Dr	Sun Valley	89433	>1	1971	Not Eligible	Not Eligible	HRIF prepared
35	Gyford Taylor Home/ Wanda L. Taylor Home	4734	W	Leonesio Dr	Sun Valley	89433	>1	1971	Not Eligible	Not Eligible	HRIF prepared
36	William Burris House	955		Skaggs Cr	Sun Valley	89433	>1	1966	Not Eligible	Not Eligible	HRIF prepared

APN	Name	Address	Dir	Street	City	Zip Code	Acres	Built	Consultant's Eligibility Recommendation	FHWA's Eligibility Determination	Notes
37	8582031, 3501104, 3501211, 3503201	NA		NA	Sun Valley	89433	1.5	^c 1905	Eligible A, B	Eligible A, B	HRIF prepared. Previously evaluated and determined eligible. Segments A and B are non-contributing elements. Segment C is a contributing element.
									Previously evaluated and determined eligible. The segments in the APE are non-contributing elements.	Previously evaluated and determined eligible. The segments in the APE are non-contributing elements.	No HRIF prepared for this report. Segments in APE are evaluated in Appendix C.
	Orr Ditch (26Wa5352)	NA		NA	Spanish Springs Valley			1872	Previously surveyed. Currently in agency review for a different FHWA project.	In agency review.	No HRIF prepared for this report. FHWA is not requesting SHPO concurrence on eligibility for this property.
38	multiple								Previously surveyed. Currently in agency review for a different FHWA project.	In agency review.	No HRIF prepared for this report. FHWA is not requesting SHPO concurrence on eligibility for this property.
39	Reno Arch Missionary Church/Baik Building	620		Queen Way	Sparks	89431	>1	1904	Previously surveyed. Currently in agency review for a different FHWA project.	In agency review.	No HRIF prepared for this report. FHWA is not requesting SHPO concurrence on eligibility for this property.
40	Sparks Christian Church	560		Queen Way	Sparks	89431	>1	1965	Previously surveyed. Currently in agency review for a different FHWA project.	In agency review.	No HRIF prepared for this report. FHWA is not requesting SHPO concurrence on eligibility for this property.

APN	Name	Address	Dir	Street	City	Zip Code	Acres	Built	Consultant's Eligibility Recommendation	FHWA's Eligibility Determination	Notes
41 2801203	Matthew H. Gibbons House/Van Meter House	5745		Wedekind Rd	Sparks	89731	>1	1963	Previously surveyed. Currently in agency review for a different FHWA project.	In agency review.	No HRIF prepared for this report. FHWA is not requesting SHPO concurrence on eligibility for this property.

LEO M. DROZDOFF, P.E.
Director
Department of Conservation and
Natural Resources

BRIAN SANDOVAL
Governor

STATE OF NEVADA

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RONALD M. JAMES
State Historic Preservation Officer



DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION OFFICE

March 28, 2012

Abdelmoez Abdalla, Environmental Program Manager
US Department of Transportation
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

Re: Determinations of Eligibility for Pyramid Highway-US 395 Connection Project
Architectural Inventory: Pyramid Highway/US 395 Connection Project, Sparks Washoe County, Nevada
EA: 73390 & 73391
FHWA: DE-0191(065) & DE-0191(067)
SHPO Undertaking Number: 2010-0884
SHPO Report Number: 8041

Dear Mr. Abdalla,

The Nevada State Historic Preservation Office (SHPO) continues its review of the subject undertaking for compliance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. Based on the information submitted in correspondence from FHWA dated February 26, 2012 (received March 28th) the project consists of converting Pyramid Highway from an existing arterial to a freeway and constructing a new freeway from Pyramid Highway to US 395. At this time, the SHPO has been asked to provide comments regarding eligibility only.

Resource Identification

Regarding *archaeological* resources, the SHPO notes that the APE and the corresponding inventory will be submitted once the design information is available.

Regarding *architectural* resources, those constructed in 1972 or earlier were documented utilizing Nevada's Historic Resource Information Form (HRIF). The APE includes 702 parcels and 631 acres. Had the APE been constructed by anticipated direct and indirect effects rather than by the parcel the APE would have been adequate for the scale and nature of the undertaking (36 CRF 800.15.d).

Abdalla
March 28, 2012
Page 2

Thirty-three resources were documented using Nevada's Historic Resource Inventory Form (HRIF) and 3 potentially eligible historic districts were identified, including the Sierra Vista Ranch Historic District, the Iratcabal Farm Historic District, and the Trosi Family/Kiley Ranch Historic District. (Please see list below.)

At this time, the SHPO is unable to concur with the eligibility recommendations as the historic context submitted with the HRIFs appears to be incomplete and does not support the evaluated resources which is required for documentation standards (36 FR 800.11). Until the supporting context can be completed, the resources remain unevaluated but are considered eligible for Section 106 purposes. The SHPO is available to answer questions and to provide guidance for the completion of the context.

The SHPO recommends two possible alternatives in order for this project to move forward in a timely manner. The context could be completed and resubmitted now or it could be postponed, completed and resubmitted at the treatment stage of the project, along with the amended evaluations, as a form of mitigation. Please inform the SHPO of the desired alternative.

**SHPO resource numbers have been available since August 2011. Since resource numbers were not requested, the SHPO Resource Number column remains blank.*

	SHPO Resource Number *	Resource Name	Eligibility per FHWA	Eligibility per SHPO
1		Neyes/Eustaquino House	Not Eligible	Unevaluated
2		Iratcabal Farm Farm House	Contributing to Historic District	Unevaluated
3		Iratcabal Farm Bunk House	Contributing to Historic District	Unevaluated
4		Iratcabal Farm Mobile Home	Contributing to Historic District	Unevaluated
5		Iratcabal Farm Outhouse	Contributing to Historic District	Unevaluated
6		Iratcabal Farm Garage	Contributing to Historic District	Unevaluated
7		Iratcabal Farm Dairy Barn	Contributing to Historic District	Unevaluated
8		Iratcabal Farm Livestock Shed	Contributing to Historic District	Unevaluated
9		Iratcabal Farm Farm Shed	Contributing to Historic District	Unevaluated
10		Iratcabal Farm Metal Shed	Contributing to Historic District	Unevaluated
11		Iratcabal Farm Pump House	Contributing to Historic District	Unevaluated
12		Maddox/Mitchell House	Not Eligible	Unevaluated
13		Oasis Mobile Estates	Not Eligible	Unevaluated
14		McGuire/Paris House	Not Eligible	Unevaluated
15		Old Pyramid Highway	Not Eligible	Unevaluated
16		Pyramid and Bank Produce Shed	Not Eligible	Unevaluated
17		Sierra Vista Ranch Garage 1	Contributing to Historic District	Unevaluated
18		Sierra Vista Ranch Garage 2	Contributing to Historic District	Unevaluated

Abdalla
March 28, 2012
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19		Sierra Vista Ranch Barn	Contributing to Historic District	Unevaluated
20		Sierra Vista Ranch Livestock Barn	Contributing to Historic District	Unevaluated
21		Sierra Vista Ranch Shed 1	Contributing to Historic District	Unevaluated
22		Sierra Vista Ranch Shed 2	Contributing to Historic District	Unevaluated
23		Sierra Vista Ranch Butler Bin	Contributing to Historic District	Unevaluated
24		Avellano House	Not Eligible	Unevaluated
25		Trossi Family Ranch/Dundrea House	Contributing to Historic District	Unevaluated
26		Trossi Family Ranch 'L' Barn	Contributing to Historic District	Unevaluated
27		Trossi Family Ranch (Livestock Shed)	Contributing to Historic District	Unevaluated
28		Trossi Family Ranch (Chicken House)	Contributing to Historic District	Unevaluated
29		Tonner House	Not Eligible	Unevaluated
30		Vantilborg/Neeid Home	Not Eligible	Unevaluated
31		Taylor House	Not Eligible	Unevaluated
32		Burris House	Not Eligible	Unevaluated
33		Prosser Valley Ditch	Eligible A, B	Unevaluated

The SHPO notes that other resources within the APE were identified but were not evaluated on an HRIF. These resources include the Orr Ditch, which was previously evaluated and determined to be eligible, along with the Reno Arch Missionary Church, the Sparks Christian Church, and the Gibbons/Van Meter House, all of which your letter states are currently in agency review for a different FHWA project. We await the submission of the appropriate documentation for these resources.

Supporting Documentation

Please note that the submitted maps do not meet the minimum standards for recordation and are not sufficient for digitization. Please submit the necessary 1:24,000 scale map to ensure that the proposed project is legally defensible.

Programmatic Agreement

The SHPO awaits a draft copy of the Programmatic Agreement (PA).

Concurrence

At this time, the SHPO is unable to concur with FHWA's eligibility recommendations for the evaluated resources as the architectural historic context does not fully support the identified historic properties stipulated by the Secretary of the Interior's Standards and Guidelines for Identification and as required per 36 FR 800.11. In order for the review of this project to forward in an expeditious manner, the SHPO suggests that this issue should be addressed in the PA.

Abdalla
March 28, 2012
Page 4

If you have questions regarding the architectural contents of this correspondence, please contact Sara Fogelquist, Architectural Historian, at 775-684-3427 or sfogelquist@nevadaculture.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca L. Palmer". The signature is fluid and cursive, with the first name being the most prominent.

Rebecca L. Palmer
Deputy State Historic Preservation Officer

cc: C. Cliff Creger, NDOT



U.S. Department
of Transportation
**Federal Highway
Administration**

Nevada Division

August 3, 2012

705 N. Plaza Street, Suite 220
Carson City, NV 89701
Phone 775 687-1204
Fax 775 687-3803

In Reply Refer To:
HENV-NV

Ms. Rebecca Palmer
Deputy State Historic Preservation Officer
Nevada State Historic Preservation Office
901 S. Stewart Street, Suite 5004
Carson City, Nevada 89701-4285

Subject: Pyramid-395 Interconnector, Reno, Washoe County, Nevada
FHWA #: DE-0191(065) & DE-0191(067); NDOT EA #: 73390;
Cultural Resource Section #: WA11-009; SHPO Undertaking #: 2010-1884

Dear Ms. Palmer:

The Federal Highway Administration (FHWA), the Nevada Department of Transportation (NDOT), and the Regional Transportation Commission of Washoe County (RTC) propose a project to improve traffic flow along the Pyramid Highway from Queen Way north to Calle de la Plata Drive and to complete a connector route from US 395 to the Pyramid Highway through Sun Valley in the northwestern portion of the Reno metro area. FHWA requests that you review the additional information provided and concur with the FHWA's determinations of eligibility for architectural resources within the project's area of potential effect (APE).

On February 28, 2012, FHWA submitted an architectural survey report to the State Historic Preservation Office (SHPO) for concurrence. The report was titled, *Architectural Inventory: Pyramid Highway/US 395 Connection Project, Sparks, Washoe County, Nevada* and prepared by Western Cultural Resource Management, Inc (WCRM). The SHPO commented on the report in a letter dated March 28, 2012. The SHPO concurred on the proposed APE for the project but was unable to concur with the FHWA's determinations of eligibility because the historic context in the report did not fully support the identified historic properties.

The letter also noted that:

- The report contained no SHPO Resource ID numbers
- The report did not include the required 1:24,000 scale topographic maps of the project area.
- The Orr Ditch was not evaluated on an Historic Resource Inventory Form (HRIF)

- The Reno Arch Missionary Church, the Sparks Christian Church and the Gibbons/Van Meter House were unevaluated because they were currently in agency review as part of the Pyramid-McCarran Intersection Project (SHPO Undertaking No. 2010-0873).

On April 16, 2012, Sara Fogelquist, Jessica Axsom, and you attended a meeting with representatives from FHWA, NDOT, Jacobs Engineering, and WCRM to discuss the additional information SHPO requested to complete their review of the project. The meeting did not produce any additional requests for information concerning the architectural survey report, beyond the requests made in SHPO's February 28, 2012 letter.

The following paragraphs address the SHPO's requests:

Historic Context

The consultant drafted an outline for the historic context which was e-mailed to Ms. Fogelquist (SHPO) to make sure it covered the themes that SHPO was looking for. Ms. Fogelquist responded to Elizabeth Dickey (NDOT) in an e-mail dated May 1, 2012. Her e-mail stated that the outline of the context looked appropriate. Based on that outline, the consultant has prepared an expanded historic context which is included in the revised architectural history report for the project which accompanies this letter.

Topographic Maps

SHPO requested a 1:24,000 scale USGS topographic map. The 1:24,000 scale maps of the project area are Figures 2a and 2b in the architectural history report originally submitted to SHPO. In the event that the maps had become separated from the report, hardcopies of the maps were given to SHPO at the meeting on April 16, 2012. On April 25, 2012, Elizabeth Dickey (NDOT) e-mailed Elyse Jolly (SHPO) a link to a digital copy of the 1:24,000 scale map of the project, along with a GIS shapefile of the surveyed properties.

SHPO Resource ID Numbers

Steve Mehls (WCRM) submitted to SHPO the information required for assignment of SHPO Resource ID Numbers (i.e. the first page of the HRIF and a GIS shapefile of property locations). Mr. Mehls received the assigned Resource ID Numbers in an e-mail from Ms. Jolly, dated May 16, 2012.

Recordation of the Orr Ditch

The Orr Ditch has been previously recorded on an IMACS form and the SHPO concurred that it was eligible under criteria A, B and C in a letter dated January 29, 1994. Because the Orr Ditch was being included in an architectural resources survey, the SHPO requested that the areas of the ditch within the project's APE be re-documented on an HRIF. The consultant has prepared an HRIF for the Orr Ditch which can be found in the accompanying documentation.

Unevaluated Properties

The SHPO noted that the Reno Arch Missionary Church, the Sparks Christian Church and the Gibbons/Van Meter House were unevaluated because they were currently in agency review as part of the Pyramid-McCarran Intersection Project (SHPO Undertaking No. 2010-0873). FHWA has completed review of these properties and determined that they are not eligible for the

National Register of Historic Places under any criteria. FHWA is awaiting SHPO concurrence on the determinations of eligibility.

If you have any questions, please contact me at 687-1231.

Sincerely,

A handwritten signature in black ink that reads "a.a.abdalla". The letters are cursive and connected.

Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures

cc: Cliff Creger, NDOT
Andrew Soderborg, FHWA

LEO M. DROZDOFF, P.E.
Director
Department of Conservation and
Natural Resources

RONALD M. JAMES
State Historic Preservation Officer

BRIAN SANDOVAL
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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION OFFICE

August 31, 2012

Abdelmoez Abdalla, Environmental Program Manager
US Department of Transportation
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

Re: **Additional Information for**
Determinations of Eligibility for Pyramid Highway-US 395 Connection Project
*Architectural Inventory: Pyramid Highway/US 395 Connection Project, Sparks Washoe
County, Nevada*
EA: 73390 & 73391
FHWA: DE-0191(065) & DE-0191(067)
SHPO Undertaking Number: 2010-0884
SHPO Report Number: 8041

Dear Mr. Abdalla,

Thank you for the additional information. The Nevada State Historic Preservation Office (SHPO) has reviewed the subject undertaking for compliance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. Based on the information submitted in correspondence from FHWA dated and received August 3, 2012, the project consists of converting Pyramid Highway from an existing arterial to a freeway and constructing a new freeway from Pyramid Highway to US 395. At this time, the SHPO has been asked to provide comments regarding eligibility only.

The additional information for this project includes a revised historic context and additional documentation in the form of a Historic Resource Inventory Form (HRIF) for the Orr Ditch. This information addresses SHPO's letter dated March 26, 2012. Thank you.

The revised historic context supports resources evaluated under National Register Criterion A, B, and C. Criteria D was not addressed. 'This survey did not include archaeological survey, and, thus,

no discussion of Criterion D considerations has been developed. The archaeological resources associated with the proposed undertaking will be described and National Register evaluation recommendations made in a separate report' (page 32). Criterion D, while most often applied to archaeological districts and sites, can apply to buildings, structures, and objects (National Register Bulletin 15, page 21).

Electronic correspondence (dated June 14, 2012) from Sara Fogelquist (SHPO) Liz Dickey (NDOT), regarding the revised context, indicates that 'As long as the context evaluates the resources under all criteria and addresses all of the resources within the APE...then the context would appear to support the eligibility recommendations in the HRIFs.' At this time, the SHPO recommends that the resources identified within the APE remain unevaluated under Criteria D.

Resource Identification

Regarding *archaeological* resources, the SHPO notes that the APE and the corresponding inventory will be submitted once the design information is available.

Regarding *architectural* resources, those constructed in 1972 or earlier were documented utilizing Nevada's Historic Resource Information Form (HRIF). The APE includes 702 parcels and 631 acres. Had the APE been constructed by buffer rather than by parcel the APE would have been more appropriate given the scale and nature of the undertaking (36 CRF 800.15.d).

Based on the submitted information:

Thirty-three resources were documented using Nevada's Historic Resource Inventory Form (HRIF) and 3 potentially eligible historic districts were identified, including the Sierra Vista Ranch Historic District, the Iratcabal Farm Historic District, and the Trosi Family/Kiley Ranch Historic District. (Please see list below.)

Based on the submitted information, the SHPO concurs with FHWA that the following 8 resources are not individually eligible but are eligible as contributing resources within the Sierra Vista Historic District (SHPO Resource Number: D93):

#	SHPO Resource Number	Individual Eligibility	District Eligibility
1	B11946	Not Eligible	Contributing, A & C
2	B11947	Not Eligible	Contributing, A & C
3	B11948	Not Eligible	Contributing, A & C
4	B11949	Not Eligible	Contributing, A & C
5	B11950	Not Eligible	Contributing, A & C
6	B11951	Not Eligible	Contributing, A & C
7	B11952	Not Eligible	Contributing, A & C
8	B11953	Not Eligible	Contributing, A & C

Based on the submitted information, the SHPO concurs with FHWA that the following 4 resources are not individually eligible but are eligible as contributing resources within the Trosi Family/Kiley Ranch Historic District (SHPO Resource Number: D94):

#	SHPO Resource Number	Individual Eligibility	District Eligibility
1	B11954	Not Eligible	Contributing, A & C
2	B11955	Not Eligible	Contributing, A & C
3	B11956	Not Eligible	Contributing, A & C
4	B11957	Not Eligible	Contributing, A & C

The HRIF completed for the Trosi Family/Kiley Ranch Historic District includes a reference to a previous survey. 'Finally, another portion of this ranch (Locus 1) has been previously recommended eligible under Criterion D due to its ability to offer significant information pertinent to the research topics detailed in other reports (Peterson and Stoner 2003). This portion of the ranch is outside the current parcel boundary due to subdivision of the ranch and ownership changes during the 2000s.' the SHPO notes that per the Architectural Inventory, the cited report completed by Peterson and Stoner was not submitted to SHPO for review (page 59). Please forward a copy of this report for SHPO's records and reference.

Based on the submitted information, the SHPO concurs with FHWA that the following 10 resources are not individually eligible but are eligible as contributing resources within the Iratcabal Farm Historic District (SHPO Resource Number: D94):

#	SHPO Resource Number	Individual Eligibility	District Eligibility
1	B11958	Not Eligible	Contributing, A & C
2	B11959	Not Eligible	Contributing, A & C
3	B11960	Not Eligible	Contributing, A & C
4	B11961	Not Eligible	Contributing, A & C
5	B11962	Not Eligible	Contributing, A & C
6	B11963	Not Eligible	Contributing, A & C
7	B11964	Not Eligible	Contributing, A & C
8	B11965	Not Eligible	Contributing, A & C
9	B11966	Not Eligible	Contributing, A & C
10	B11967	Not Eligible	Contributing, A & C

Based on the submitted information, the SHPO concurs with FHWA that the following 2 properties are eligible for listing in the NRHP:

#	SHPO Resource Number	Eligibility
1	S820	Eligible, A & B
2	S828	Eligible, A, B, C

Based on the submitted information, the SHPO concurs with FHWA that the following 10 properties are not eligible for listing in the NRHP:

#	SHPO Resource Number	Eligibility
1	B11968	Not Eligible
2	B11969	Not Eligible
3	B11970	Not Eligible
4	B11971	Not Eligible
5	B11972	Not Eligible
6	B11973	Not Eligible
7	B11974	Not Eligible
8	B11975	Not Eligible
9	B11976	Not Eligible
10	B11977	Not Eligible

Based on the submitted information, the SHPO cannot concur with FHWA that the following resource is not eligible for listing in the NRHP.

#	SHPO Resource Number	Eligibility
1	S821	Unevaluated

Although the consultant recommended the resource (S 821: The Old Pyramid Highway) as eligible under Criteria A, FHWA recommend the resource as not eligible due to diminished integrity.

The HRIF indicates that resource retains its original alignment and that 'Although the segments recorded are in overall fair condition, they are the only known recorded segments of the old highway and are therefore recommended eligible under Criterion A (page 7). The SHPO questions if there are other examples of the Old Pyramid Highway that retain better integrity and that are being preserved.

The architectural inventory indicates that as a form of mitigation for S821 would be the completion of a document to 'place the impacted segments within the greater context of the highway and they development of the local transportation system' (page 73). The SHPO questions why this would be completed for mitigation and not completed as part of a context to support an eligibility recommendation for the resource. Another context that might further support an eligibility recommendation for S821 is *A Cultural Resource Inventory for the Pyramid Lake Paiute Tribe's Proposed Pelican Pointe Project, Washoe County, Nevada*, which was completed in 2011 by Kautz Environmental. A copy is available at the SHPO upon request.

At this time, the SHPO recommends treating S821 as unevaluated.

The SHPO notes that other resources within the APE were identified but were not evaluated on an HRIF. These resources include the Reno Arch Missionary Church (B11979), the Sparks Christian Church (B11978), and the Gibbons/Van Meter House (B11980), all of which are currently in agency review for a different FHWA project.

Project Effects

Although this letter is not intended to address project effects, the SHPO notes that there appears to be a discrepancy between FHWA's correspondence dated September 8, 2011 and the architectural inventory (revised June 2012), which was submitted with FHWA's correspondence, dated August 3, 2012.

Per FHWA correspondence (dated 9.8.11):

The project is not expected to induce development that would expand the APE beyond those areas stated above. In terms of induced development, this project includes two types of roadway improvements: improvements to existing roads, or construction of new roads. New road construction for this project generally would occur on steeper slopes in BLM-owned property and/or zoned open space. These areas are not likely to be developed in reasonably foreseeable future due to development restrictions and the costs associated with, developing lands on steep slopes, especially when there are currently a large number of vacant commercial buildings available.

New development, as a result of improvements to existing roads, is not expected to exceed the visual APE range because: 1) there is existing available commercial space on Pyramid Highway, 2) the likelihood that development would be commercial along the existing road, 3) development would be as far from the proposed alignment as current development, and 4) the cost of leveling any new parcel in the APE (page 5).

Per the architectural inventory (revised June 2012):

Other indirect effects anticipated from the proposed transportation improvement project are likely to include further degradation of the setting of the resources due to increased access that can reasonably be expected to lead to greater traffic volumes. Also, further land development (residential and commercial) on the lands near and around the historic properties is anticipated because of increased accessibility offered by the highway improvements. These effects could best be mitigated through the photo-documentation of the historic properties accompanied by intensive archival and oral history research of the three historic districts and the Spanish Springs Valley. Similarly, the cumulative effect of the project is likely to be further urban growth and the degradation of the setting of the historic properties (page 72).

Additionally, regarding the Trosi/Kiley Ranch, per the architectural inventory (revised June 2012):

There are other buildings, including a barn, that were visible from the road and appear to be historically associated with the ranch, but are today outside of the parcel (page 63)

Abdalla
August 31, 2012
Page 6 of 6

And;

The anticipated view shed alterations at the Troisi Family/Kiley Ranch will involve the introduction of a new intersection and transition from grade level to elevated highway west and northeast of the historic district (page 64).

Based on the information noted above, there appears to be additional, visible resources that were not included in the Area of Potential Effect (APE), given the proposed project description. Although the Programmatic Agreement (PA) for this undertaking is still in draft, the SHPO will require a reevaluation of the APE for visual, audible, atmospheric, and cumulative effects in this document.

If you have questions regarding the architectural contents of this correspondence, please contact Sara Fogelquist, Architectural Historian, at 775-684-3427 or sfogelquist@shpo.nv.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karyn de Dufour', with a long horizontal flourish extending to the right.

Karyn de Dufour
Deputy State Historic Preservation Officer

cc: C. Cliff Creger, NDOT

From: Abdelmoez.Abdalla@dot.gov [<mailto:Abdelmoez.Abdalla@dot.gov>]
Sent: Thursday, November 29, 2012 3:31 PM
To: SFogelquist@shpo.nv.gov
Cc: rlpalmer@shpo.nv.gov; EDickey@dot.state.nv.us; Clarke, Jim O.; Dmaloy@rtcwashoe.com
Subject: FW: Pyramid-395 Draft E-mail to SHPO

Sara:

Thank you for meeting with Ed Stoner (WCRM) , Bryan Gant (Jacobs), Suzan Slaughter (NDOT), and Elizabeth Dickey (NDOT) for the site visit of the Old Pyramid Highway segments on November 17, 2012. Thank you also for your comments today of updating the site visit minutes that liz has written and updated

The purpose of the visit was to provide SHPO with first-hand information on the integrity and condition of Segments A and B of the Old Pyramid Hwy (SHPO resource ID # S821) that are within the Area of Potential Effects for the Pyramid-US 395 Connector Project in Sparks, Washoe County (SHPO Undertaking # 2010-0884) and to look at a nearby undocumented segment of the Old Pyramid Hwy which is in Wedekind Park.

The Federal Highway Administration (FHWA) has not changed its determination that Segment A and B of the Old Pyramid Highway are not eligible for the National Register of Historic Places (NRHP) under any criteria because of poor integrity of design, materials, feeling, association, workmanship, and setting.

FHWA requested concurrence on a determination of eligibility for Segments A and B of the Old Pyramid Highway in letters to SHPO dated February 28, 2012 and August 3, 2012. At that time, SHPO was unable to concur on the determination and considered Segments A and B as "unevaluated." In SHPO's letter dated August 31, 2012, SHPO asked if there were "other examples of the Old Pyramid Highway that retain better integrity and that are being preserved." The answer is yes, the segment of the Old Pyramid Highway to the south of Segments A and B retains better integrity of setting, association, and feeling and is protected from development by being within Wedekind Park, which is a dedicated open space owned by the City of Sparks.

With the additional information provided by the site visit, FHWA requests SHPO concurrence on the determination that Segments A and B of the Old Pyramid Hwy are not eligible for listing on the NRHP.

Thank you for your assistance in moving this project forward-

Del

Abdelmoez A. Abdalla
Environmental Program Manager
U.S. Department of Transportation
Federal Highway Administration-Nevada Division
Office Phone: (775) 687-1231
Cell Phone: (775) 291-7598
Fax: (775) 687-3803
abdelmoez.abdalla@dot.gov

From: Sara Fogelquist <SFogelquist@shpo.nv.gov>

Date: December 3, 2012, 4:00:12 PM MST

To: "Abdalla, Del" <abdelmoez.abdalla@dot.gov>

Cc: Rebecca Palmer <rlpalmer@shpo.nv.gov>, "EDickey@dot.state.nv.us" <EDickey@dot.state.nv.us>, "Clarke, Jim O." <Jim.Clarke@jacobs.com>, "Dmaloy@rtcwashoe.com" <Dmaloy@rtcwashoe.com>

Subject: RE: Pyramid-395 Draft E-mail to SHPO

Del,

Thank you for your email. The site visit was beneficial. Given the previously submitted information combined with knowledge gained from the site visit, here is the challenge and here is an approach to move forward.

As background:

The consultant recommended the Old Pyramid Highway (S 821) as eligible under Criterion A. FHWA recommended the resource as not eligible due to diminished integrity. SHPO recommended based on this difference between the recommendation and the agency's determination, that the resource remain unevaluated based on insufficient justification information provided by both parties.

And, the issues identified in previous correspondence regarding Old Pyramid Highway (S 821) remain unresolved.

From SHPO correspondence dated 8.31.12

"The HRIF indicates that the resource retains its original alignment and that 'Although the segments recorded are in overall fair condition, they are the only known recorded segments of the old highway and are therefore recommended eligible under Criterion A.' The SHPO questions if there are other examples of the Old Pyramid Highway that retain better integrity and that are being preserved."

[Note that for another resource to have better integrity that resource needs to have been recorded.]

"The architectural inventory indicates that a form of mitigation for S 821 would be the completion of a document to 'place the impacted segments within the greater context of the highway and the development of the local transportation system' (page 73). The SHPO questions why this would be completed for mitigation and not completed as part of a context to support an eligibility recommendation for the resource."

From meeting minutes dated the 10.4.12

"Sara felt she did not have enough information on the character defining traits under all of the Secretary's criteria for the original Pyramid HWY to make an informed decision."

AND

"Rebecca offered that the eligibility could be resolved after the preferred alignment was selected."

Although the site visit was beneficial, the items above remain unaddressed and therefore prevent our concurrence regarding eligibility.

The National Register Bulletins provides guidance for evaluating the eligibility of a resource:

‘For a property to qualify for the National Register it must meet one of the National Register Criteria for evaluation by: Being associated with an important historic context and retaining historic integrity of those features necessary to convey its significance.’

What is the context for the Pyramid Highway and what features would need to be present for the resource to be eligible? Without a context as a benchmark any discussion about integrity is premature as poor integrity cannot be recognized if good integrity has not been established.

Additionally, without a context it is impossible to evaluate the significance of the segment of the Old Pyramid Highway located outside the APE and within the future Wedikind Regional Park. And, given that that segment has not been recorded, it is impossible to discuss the integrity of that segment let alone to determine if it has better integrity than the segment within the APE.

The NR Bulletins recognize that ‘The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property’s physical features and how they relate to its significance.’

If Federal Highway Administration requires a concurrence on their determination of eligibility for this resource, please submit an adequate context, as we had previously requested, and a complete discussion about integrity so that the eligibility of the Old Pyramid Highway is consistent with the National Register evaluation process.

At this time, the SHPO questions if it is still possible to expedite this process by following Rebecca Palmer’s suggestion of resolving the eligibility issue once the preferred alignment has been selected as discussed in the Oct. 4th meeting.

Sara



U.S. Department
of Transportation
**Federal Highway
Administration**

Nevada Division

March 7, 2013

705 N. Plaza Street, Suite 220
Carson City, NV 89701
Phone 775 687-1204
Fax 775 687-3803

In Reply Refer To:
HENV-NV

Rebecca Palmer
Interim State Historic Preservation Officer
State Historic Preservation Office
901 S. Stewart Street, Suite 5004
Carson City, Nevada 89701-4285

Subject: Additional Information for Pyramid-US 395 Connector Project, Washoe County, NV
EA 73390 & 73391; NDOT # WA11-009; FHWA # DE-0191(065) & DE-019(067);
SHPO Undertaking # 2010-0884

Dear Ms. Palmer:

The Regional Transportation Commission of Washoe County (RTC), in cooperation with the Federal Highway Administration (FHWA) and the Nevada Department of Transportation (NDOT), are proposing a project to improve traffic flow along the Pyramid Highway from Queen Way to Calle de la Plata Drive, Washoe County, Nevada. The project includes a connector route from US 395 to the Pyramid Highway (SR 445) through the Sun Valley neighborhood in the northwestern portion of the Reno metro area. Enclosed is the additional information that you requested earlier for the Old Pyramid Highway (SHPO Resource ID #S821). FHWA requests that you review and concur with the FHWA's determination that S821 is not eligible for the National Register of Historic Places (NRHP).

Background

FHWA submitted to SHPO an architectural survey report prepared by Western Cultural Resource Management, Inc (WCRM) titled, *Architectural Inventory: Pyramid Highway/US 395 Connection Project, Sparks, Washoe County, Nevada, (Revised June 2012)*, and additional information to supplement the report. In a letter dated August 31, 2012, SHPO concurred with FHWA's determinations of eligibility for architectural resources with the exception of S821, the Old Pyramid Highway property. The consultant had recommended that S821 was eligible for the NRHP because it was the only known recorded section of the road. FHWA determined that S821 was not eligible because of poor integrity of design, materials, feeling, association, workmanship, and setting. SHPO was unable to concur that the segments were not eligible and recommended that S821 be treated as unevaluated.

On October 4, 2012, a meeting was held among FHWA, NDOT, and SHPO to discuss the Pyramid-395 Connector project. At this meeting, a site visit to S821 was proposed. Sara Fogelquist (SHPO architectural historian), Elizabeth Dickey (NDOT architectural historian), Suzan Slaughter (NDOT archaeologist), Ed Stoner (WCRM archaeologist), and Bryan Gant (Project Manager for Jacobs) made a site visit on November 7, 2012. At that time, the two

segments of the Old Pyramid Highway were walked, as well as an adjacent segment of the highway within Wedekind Park. Miss Dickey and Miss Fogelquist discussed what the original road and landscape would have looked like, what the road surface would have been made out of, types of signage and markers that could have been present historically, the width of the original road, and other character defining traits of the road that would need to be present for a historic road to retain integrity and to be eligible.

Subsequent to the site visit, Sara Fogelquist sent an email to me on December 3, 2012 (see Appendix C) indicating that the SHPO has three outstanding issues that need to be resolved before they are able to concur or not concur with FHWA's determination of eligibility for the Old Pyramid Highway segments:

1. SHPO would like to know if there are other examples of the Pyramid Highway that retain better integrity and that are being preserved.

FHWA did identify a segment of the Old Pyramid Highway that retained better integrity of setting, association and feeling, and was being preserved within Wedekind Park, a dedicated open space owned by the City of Sparks. SHPO staff was taken to see this property as part of the November 7, 2012 site visit. In Miss Fogelquist's 12/3/2012 e-mail, SHPO notified FHWA that integrity of another segment of the road could not be used for comparison to S821 unless the other segment had been recorded. Though the segment of the Old Pyramid Highway within Wedekind Park was part of a Bureau of Land Management (BLM) land exchange, which underwent Section 106, the consultant and NDOT had been unable at that time to locate any records that showed this segment of the Pyramid Highway had been recorded and evaluated for eligibility to the NRHP.

Additional research into the BLM records has produced two reports, the first titled *Wedekind Park Parcel: A Cultural Resources Inventory for the City of Sparks, Washoe County, Nevada (BLM CRR-03-008)* prepared by Kautz Environmental Consultants in 2001; and the second titled *Cultural Resource Inventory for the Tanamera Commercial Development (Sparks Mall) in Spanish Springs Valley, Washoe County, Nevada (BLM CRR-03-2179)*, prepared by Kautz Environmental Consultants in 2004. The reports included a site form for WA8292 dated 6/26/2001 and an updated form for WA8292a dated 8/23/2003. WA8292/WA8292a is the segment of the Old Pyramid Highway south of the Pyramid-395 Connector Project's APE within Wedekind Park. BLM determined that segment of the Old Pyramid Highway to be "Not Eligible."

BLM submitted the Wedekind Park Parcel Report to SHPO at an unknown date. SHPO responded in a letter dated September 4, 2001 that the Wedekind Park Parcel Report would be incorporated into the statewide archaeological inventory and gave no objections to BLM's determination of "Not Eligible" for WA8292 (See Appendix A).

BLM submitted the Tanamera Commercial Development Report to SHPO with a letter dated August 24, 2006. SHPO responded in a letter dated September 21, 2006 that the report would be incorporated into the statewide archaeological inventory and gave no objections to BLM's determination of "Not Eligible" for WA8292a (See Appendix B).

The segment in Wedekind Park (WA8292/WA8292a) was considered to have diminished integrity. Page 54 of the Wedekind Park Parcel Report reads, "The integrity of this site has been adversely affected by neglect and opportunistic dumping. Although the route of the road segment is clearly discernible, the paving materials have deteriorated badly, and there are piles of refuse on and around the surface of the road. The setting and the feeling of the site have been greatly diminished. The site is recommended as non-significant and ineligible for nomination to the NRHP" (See Appendix A).

The integrity of design, materials, workmanship, setting, feeling and association for S821 is even more degraded than WA8292/WA8292a. S821 is chopped up by two steep berms and crossed by a modern street. S821 is located on a strip of land between the modern alignment of Pyramid Highway and a large shopping development.

In response to SHPO's question, yes, there is another segment of the Old Pyramid Highway: WA8292a/WA8292. It has better integrity than S821. It is being protected from development as part of Wedekind Park and was previously documented and evaluated for the NRHP twice; it is not eligible for the NRHP.

2. The architectural inventory indicates that a form of mitigation for the Old Pyramid Highway would be the completion of a document to "place the impacted segments within the greater context of the highway and the development of the local transportation system" (page 73 of architectural survey). The SHPO questioned why this would be completed for mitigation and not completed as part of a context to support an eligibility recommendation for the resources.

The consultant has revised the architectural report and added additional historic context on the Pyramid Highway. The information can be found on page 52 of the enclosed revised report. As a result of reviewing the documentation for WA8292/WA8292a, the consultant has changed their opinion regarding the eligibility of S821. The consultant now recommends that S821 is not eligible for the NRHP. This is reflected in the revised report. NDOT has also prepared additional material on the historic contexts of roads in general and the Pyramid Highway specifically (see Appendix D).

In a telephone conversation between Elizabeth Dickey and Sara Fogelquist on January 2, 2013, Miss Fogelquist expressed that the main deficiency in the historic context was that the historical physical appearance of the road, the setting, and associated features were not described adequately. Please see Appendix E and Appendix F for a description of the historical physical appearance of the road, the setting, and the associated features based on historic maps, photographs, Highway Department biennial reports, and road construction plan sets.

3. SHPO felt they did not have enough information on the character defining traits to make an informed decision on the resource's eligibility.

FHWA provided information on the character defining traits of a typical 1930s-era highway in Nevada in the justification cover page included with the Historic Resource Inventory Form. In a telephone conversation between Miss Dickey and Miss Fogelquist on January 2, 2013, Miss Fogelquist stated that the character defining features of a 1930s highway were too broad and SHPO needed to know the specific characteristics of the Old Pyramid Highway. The features original to the Old Pyramid Highway were discussed during the site visit on November 7, 2012. Please see Appendix E and Appendix F for a description of the historical physical appearance of the road, the setting, and the associated features based on historic maps, Highway Department biennial reports, photographs and road construction plan sets.

SHPO generously offered to move the Section 106 process forward by resolving the Old Pyramid Highway eligibility issue once the preferred alignment has been selected. Unfortunately, this is not an option. SHPO's opinion on the eligibility status of the resource will be an important factor in deciding which of the alignments is chosen as the final design. FHWA would like to receive SHPO's eligibility recommendation before making that decision, rather than choosing an alignment without knowing SHPO's opinion and having the possibility of impacting a 4(f) property.

This letter provides SHPO with information on the three unresolved issues regarding the eligibility of S821, identified in SHPO's last e-mail correspondence dated 12/3/2012. Based on a review of the historic context and the characteristics of the 1935 Pyramid Highway from the period of significance, FHWA has not changed its determination that S821 is ineligible for the NRHP under any criteria. FHWA requests SHPO concurrence on the determination of "Not Eligible" for S821.

If you have any questions please feel free to call me at 775-684-1231.

Sincerely,



Abdelmoez A. Abdalla
Environmental Program Manager

Enclosures

cc: C. Cliff Creger, NDOT
Elizabeth Dickey, NDOT
Juan Balbuena, FHWA

**WEDEKIND PARK PARCEL:
A CULTURAL RESOURCES INVENTORY FOR
THE CITY OF SPARKS, WASHOE COUNTY, NEVADA**

BLM Report Number CRR3-2008(P)

Prepared for:

City of Sparks
Department of Parks and Recreation
98 Richards Way
Sparks, NV 89434

Submitted to:

Bureau of Land Management
Carson City District
5665 Morgan Mill Road
Carson City, Nevada 89701

Prepared by:

Teri H. Christensen and Robert R. Kautz

Kautz Environmental Consultants, Inc.
5200 Neil Road, Suite 200
Reno, Nevada 89502

KEC Projects 218 and 253

July 2001

CONFIDENTIAL - DO NOT RELEASE



KENNY C. GUINN
Governor

SCOTT K. SISCO
Interim Director

STATE OF NEVADA

BUREAU OF LAND MANAGEMENT
CARSON CITY FIELD OFFICE
DEPARTMENT OF CULTURAL AFFAIRS
Nevada State Historic Preservation Office

2001 SEP -7 PM 12:02
100 N. Stewart Street
Carson City, Nevada 89701

RONALD M. JAMES
State Historic Preservation Officer

September 4, 2001

Mr. Richard Conrad
Assistant Manager
Non-Renewable Resources
Bureau of Land Management
Carson City Field Office
5665 Morgan Mill Road
Carson City NV 89701

RE: Bureau of Land Management Inventory Report Acknowledgment.

Dear:

The Nevada State Historic Preservation Office (SHPO) acknowledges receipt of the following inventory report(s):

- ▶ Veta Grande Mine Site Cleanup, Carson Valley, Douglas County (Bureau of Land Management Report Number (CR-3-2062).
- ▶ Wedekind Park Parcel, City of Sparks, Spanish Springs Valley, Washoe County (Bureau of Land Management Report Number (CR-3-2008).

The above mentioned inventory report(s) will be incorporated into the statewide archaeological inventory. Thank you for your submission.

If you have any questions concerning this correspondence, please contact me by phone at (775) 684-3443 or by E-mail at rlpalmer@clan.lib.nv.us.

Sincerely,


Rebecca Lynn Palmer
Historic Preservation Specialist

RE: CRR3-2008P, *Wedekind Park Parcel...*, draft report dated October 2000. The report is satisfactory however the following comments should be addressed:

Table 5.1, #9 Bidding misspelled (S/B Bitting)

- page 40 **General Observations** - The last paragraph mentions the abandoned segment of Pyramid Highway SR 447 that runs through the project area. Enclosed are copies of 1927 and 1937 Nevada Highway maps that show a route (Nevada 32, 33) in this general location (on file at Nevada Historical Society). Renee Kolvet attempted to contact Jim Eppley (NDOT, Roadside History) to verify the historic road location, when it was first paved, and when it was abandoned. Mr. Eppley was on vacation however a co-worker stated that this segment was paved in April of 1935. Helen Salazar (NDOT) is checking on the date of abandonment. Based on its age, the road segment should be recorded.
- page 40 Same paragraph - CrNV-03-5388- Was enough of the license plate intact to tell whether it was a Nevada plate?
- Page 41 2nd paragraph, re: pet cemetery. Since the project is located in the Wedekind Mining District, the presence of 20 or more pet burials is interesting. Perhaps they are there due to the area's proximity to Sparks however several rock cairns are also present. Were any of the pet burials probed? Were the rock clusters concentrated in one area or are they scattered throughout the 287- acre parcel? Please contact Renee Kolvet at the BLM (885-6196) to clarify this matter.
- page 46 The Monite Explosives Factory (CrNV-31-4936) deserves a bit more discussion since the reader may not have access to Mecham 1996. Were the explosives manufactured mainly for mining purposes related to Wedekind Mining District? How many building were once at this location? SHPO may require a structure form for Building 20 in case one was not already prepared.

slope. Portions of the road have remnant paving. The patches of pavement are in poor condition, but traces of a double yellow line and a single white dashed line are still visible. Telephone conversations with staff members of the Roadside History group at the Nevada Department of Transportation indicate that the highway was first paved in 1935, and that this segment was abandoned in 1969. This segment was isolated and abandoned because the highway was re-routed through a deep artificial cut in the ridge which extends west from the hill.

Table 5.3 Newly Recorded Archaeological Sites

Number: CrNV-03-	Site Description	Dimensions (in meters)	UTM Coordinates ¹	
			Easting	Northing
5385	Cluster of 4 mineral prospects, apparently excavated with hand tools, a cairn, and 2 fruit/vegetable cans.	36 X 27	264421	4384196
5386	Cluster of 7 mineral prospects, apparently excavated with hand tools, 3 cairns, and a secondary trash deposit.	53 X 27	264422	4384106
5387	Prospect pit, apparently excavated with hand tools, fragments of 1 or more amethyst glass bottle(s), and a rhyolite core.	16 X 13	264658	4383690
5388	Cluster of 4 mineral prospects, apparently excavated with hand tools, and sparse trash scatter.	77 X 45	264755	4383615
5389	Cluster of 4 mineral prospects, apparently blasted and cleared with hand tools. No artifacts.	37 X 16	264706	4383371
5390	Very small lithic scatter: chert projectile point mid-section fragment, probably corner notched, 2 basalt projectile point tip fragments, a late stage basalt biface fragment, and 4 debitage flakes (3 chert, 1 obsidian).	4.6 X 2.6	264736	4383410
5391	Prospect pit, apparently excavated with hand tools, fragments of an amethyst glass bottle, and a cut nail.	9 X 9	264980	4383344
5392	Aboriginal hunting blind, 4 pieces of obsidian debitage.	9.6 X 3.5	264761	4383151
5393	Structural remnants of a house and an out building.	48 X 30	264267	4383993
5508	Abandoned segment of State Route 445.	1200 X 4	264180	4383520
			264395	4384335

¹ Zone 11, 1927 North American Datum

CrNV-03-5393: Remnants of possible historic dwelling (house). The limited material remains and lack of subsurface cultural deposits suggest there is little potential to recover additional substantive data for clarifying historic activities in this vicinity, as identified in the historic research domains for the project area. The features and artifacts are not unique or representative of a period or method of construction, and the site presently has no known associations with events or persons of prominence. Thus, the site is recommended as not eligible for the NRHP under any criteria. Based on this assessment, no additional measures are necessary to protect or mitigate the potential effects of project development at this site.

CrNV-03-5508: An abandoned segment of the Pyramid Lake Highway, State Route 445 (formerly State Route 33). This road segment is not associated with persons or events significant in history. It does not represent a distinctive type, period, or method of construction. Further investigation of the road segment is unlikely to yield any information important in local or regional history. The integrity of this site has been adversely affected by neglect and opportunistic dumping. Although the route of the road segment is clearly discernible, the paving materials have deteriorated badly, and there are piles of refuse on and around the surface of the road. The setting and the feeling of the site have been greatly diminished. This site is recommended as non-significant and ineligible for nomination to the NRHP. No additional management measures are recommended to protect or mitigate the potential effects of project development at this site.

Cultural Resources Inventory for the
Tanamera Commercial Development (Sparks Mall)
in Spanish Springs Valley, Washoe County, Nevada

Report

all put. local -
already submitted to
STPD prior to
Bum involvement w/
right of way

Bum did not comment
on this report -
not a federal undertaking

mww



KAUTZ ENVIRONMENTAL CONSULTANTS, INC.

United States Department of the Interior

Bureau of Land Management

Carson City Field Office
5665 Morgan Mill Road
Carson City, NV 89701
Phone: (775) 885-6000



In Reply Refer To:
8110 (NV033)

AUG 24 2006

mw
8/23/06
JK 8/24/06

Ronald M. James
State Historic Preservation Officer
Nevada State Historic Preservation Office
Department of Museums, Library and Arts
100 North Stewart Street
Carson City, Nevada 89701-4285

Attention: Rebecca Palmer

Re: Positive Reports

Dear Mr. James:

Under the *State Protocol Agreement Between the Bureau of Land Management, Nevada and the Nevada State Historic Preservation Office*, the following guidelines were used for the listed undertakings:

Pg. 6, Part VI. Case-By-Case Review, subpart A. Routine Undertakings, whereby the BLM determines the Area of Potential Effect (APE), level of information gathering, public involvement, National Register status, intensity of effect, and treatment needs for resources potentially effected without SHPO concurrence prior to authorizing the undertaking;

Pg. 7, Part VII. Identification, Evaluation, and Treatment of Historic Properties., subpart B. Identification, number 5. No Historic Property Situations: As a result of an appropriate inventory, the BLM determines that there are no historic properties within the APE. Upon review and acceptance of the inventory report, BLM will submit the report to SHPO, notified interested persons and proceed with the undertaking;

Pg. 9, subpart C. Evaluation for National Register Eligibility, number 3. Properties Eligible under Criterion D only: a certified BLM cultural resource specialist can determine eligibility under National Register Criterion D [36 CFR Part 60.4(d)] without specific SHPO consultation;

Pg. 9, subpart C. **Evaluation for National Register Eligibility, number 4.** Properties with Associative or Design Value: This provision applies to properties significant under Criterion A, B and/or C [36 CFR Part 60.4]. BLM's evaluation of National Register eligibility is dependent upon access to appropriate expertise; and

Pg. 12, subpart D. **Assessment of Effects, number 1.** No Effect Situations: The BLM can determine that the undertaking will have no effect on historic properties and proceed without further SHPO consultation when there are no historic properties within the APE, or when identified properties will be avoided.

In accordance with the guidelines stated above, this office is submitting the following three reports for incorporation into the statewide inventory:

- CRR 3-2284, *A Cultural Resources Inventory of the Toll Road Project, South Truckee Meadows, Washoe County, Nevada*
- CRR 3-2203, *A Cultural Resource Inventory for the Douglas County Parks and Recreation Department, Johnson Lane Park Project Under the BLM's Recreation and Public Purpose Act, Douglas County, Nevada*
- CRR 3-2320, *A Cultural Resources Inventory for the Diamond Hot Springs Estates Project, Wabuska, Lyon County, Nevada*
- CRR 3-2179, *Addendum: Cultural Resources Inventory for the Tanamera Commercial Development (Sparks Mall) in Spanish Springs Valley*

Sincerely,

T. J. Knutson/mjw

Teresa J. Knutson
Acting Assistant Manager, Non-renewable Resources
Carson City Field Office

Enclosure(s)
As Stated



KENNY C. GUINN
Governor

SCOTT K. SISCO
Interim Director

STATE OF NEVADA
DEPARTMENT OF CULTURAL AFFAIRS
Nevada State Historic Preservation Office
100 N. Stewart Street
Carson City, Nevada 89701
(775) 684-3448 • Fax (775) 684-3442
www.nvshpo.org

2006 SEP 21 10 10 AM
RECEIVED
RONALD M. JAMES
State Historic Preservation Officer

September 21, 2006

Teresa J. Knutson
Acting Assistant Manager, Non-Renewable Resources
Carson City Field Office
Bureau of Land Management
5665 Morgan Mill Road
Carson City NV 89701

RE: Bureau of Land Management Inventory Report Acknowledgment.

Dear Ms. Knutson:

The Nevada State Historic Preservation Office (SHPO) acknowledges receipt of the following inventory report(s):

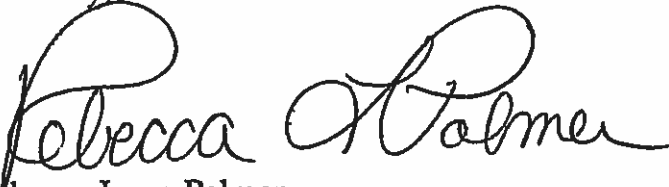
- Three Material Pits in Lyon County (Bureau of Land Management Report Number: 3-2322).
- Material Pit and Access Road at SR208 DO 5.0, Antelope Valley (Bureau of Land Management Report Number: 3-2266).
- Toll Road Project, Washoe County (Bureau of Land Management Report Number: 3-2284).
- Douglas county Parks and Recreation Johnson Lane Park Project, Douglas County (Bureau of Land Management Report Number: 3-2203).
- Diamond Hot Springs Estates Project, Lyon County (Bureau of Land Management Report Number: 3-2320).
- Tanamera Commercial Development addendum, Spanish Springs Valley, Washoe County (Bureau of Land Management Report Number: 3-2179).

Teresa J. Knutson
September 21, 2006
Page 2 of 2

The above mentioned inventory report(s) will be incorporated into the statewide archaeological inventory. Thank you for your submission.

If you have any questions concerning this correspondence, please contact me by phone at (775) 684-3443 or by E-mail at rlpalmer@clan.lib.nv.us.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Lynn Palmer". The signature is written in black ink and is positioned above the printed name and title.

Rebecca Lynn Palmer
Review and Compliance Officer, Archaeologist

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CARSON CITY FIELD OFFICE

Cover Sheet for Positive Reports

Cultural Resource Report Number: CRR 3-2179

Report Name and Author: *Addendum: Cultural Resources Inventory for the Tanamera Commercial Development (Sparks Mall) in Spanish Springs Valley*/Robert Kautz and Danielle Cozart

SITES					
BLM Numbers	Smithsonian Numbers	Historic	Prehistoric	Eligibility	Criterion (ia)
03-5834		Debris scatter and 3 prospects		Not Eligible	
03-5508		Segment of Old State route 445		Not Eligible	

Determination of Effect:

☐ No Effect ☒ No Properties ☐ No Adverse Effect ☐ Adverse Effect

Mitigation/Stipulations: None

Archaeologist Danielle Storey

Date _____

Manager 

Date 5/22/06

FAX**KAUTZ ENVIRONMENTAL CONSULTANTS, INC.**

5200 Neil Road, Suite 200

Reno, NV 89502

Phone: (775) 829-4411

Fax: (775) 829-6161

Peggy
Could you
tell me where
this leave
is?

TO: To HuffnagelCOMPANY: Carson BLM FAX # 885-6147FROM: Bob KautzTOTAL NUMBER OF PAGES: 3 DATE: 3/2/04

DESCRIPTION OF DOCUMENT:

To, I got called by Kraig Knudsen
about the Sparks Galleria project. I
hope this exchange between myself
and SHPO helps. Please give me a
call if you have any other questions.
Thank you, Bob

Call (775) 829-4411 if there are any problems with this transmission



5200 Neil Road, Suite 2
Reno, Nevada 895
775-829-44
Fax 829-61

February 26, 2004

Mr. Robert Pyzel
City of Sparks
Office of Planning and Community Development
431 Prater Way
P.O. Box 857
Sparks, NV 89432-0857

Dear Rob:

This letter is in reference to the letter that was addressed to you dated February 18, 2004, from Ms. Rebecca Palmer, Historic Preservation Specialist at NSHPO. Her letter was in response to my company's report on cultural resources at the Sparks Galleria development, proposed to be built in Spanish Springs Valley.

If you will recall, she concurred with our report's recommendation that seven sites are not regionally significant (26Wa7118 through 26Wa7124) but noted the significance of the Orr Ditch (26Wa5352) that runs through the center of the proposed project's APE. In her note to you she inquired about what provisions had been made to avoid an adverse effect to the ditch segment.

I have just spoken with Ms. Palmer about the project and its effect on the ditch. I explained to her that the development plans to bury a pipe through their property at this location with a resulting loss of the trench due to concerns of safety and liability. She has agreed that following our firm's submittal to NSHPO of the original photos, fully identified, of the ditch at this location, that task will satisfy the NSHPO's concerns regarding an effect to the historic property.

I have spoken with the project proponent, Mr. Kraig Knudsen, and he has authorized me to prepare the photos as requested by NSHPO. I have asked Monique Kimball of our staff to complete this small project. If you, or any of your staff, should have any questions regarding this project, please feel free to call me or Ms. Kimball at any time.

Sincerely,

Robert R. Kautz, Ph.D.
CEO

cc. Ms. Rebecca Palmer, NSHPO
Mr. Kraig Knudsen, Tanamera Commercial
Ms. Jo Huffnagel

FEB-26-2004 THU 10:55 AM INHINTERM COMMERCIAL DEV FHA NO. 7750004201

1. 00

02/25/2004 11:04 FAX 1 775 355 7705

MACKAY & SONPS

J. TANAMERA

002/002

P. 2

Feb 25 2004 10:51AM The City of Sparks

2531608

KENNY C. GIBSON
GovernorSCOTT K. SISCO
Interim DirectorSTATE OF NEVADA
DEPARTMENT OF CULTURAL AFFAIRS
Nevada State Historic Preservation Office
100 N. Stewart Street
Carson City, Nevada 89701RONALD M. JAMES
State Historic Preservation Officer

February 18, 2004

Robert Pyzel
City of Sparks
Office of Planning and Community Development
431 Prater Way
PO Box 857
Sparks NV 89432-0857

RE: Sparks Galleria Archaeological Survey, Spanish Springs Valley, Washoe County.

Dear Mr. Pyzel:

The Nevada State Historic Preservation Office (SHPO) reviewed the proposed project. The SHPO concurs with the consultant's recommendation that the following sites are not regionally significant:

26Wa7118;	26Wa7119;	26Wa7120;	26Wa7121;
26Wa7122;	26Wa7123;	26Wa7124.	

The SHPO concurs with the following ditch segment is regionally significant:

26Wa5352 (Orr Ditch).

What provision has the proposed development made to avoid an adverse effect to this regionally significant segment?

If you have any questions concerning this correspondence, please contact me by phone at (775) 684-3443 or by E-mail at ripalmer@clan.lib.nv.us.

Sincerely,

Rebecca Lynn Palmer
Historic Preservation Specialist

Attachment C: Transportation Historical Context,

Sub-Category – Automobile Roads, Construction Period – Nevada State Route

Over this large silver state, automobile roads tie together the far-flung points people use. These ribbons of dirt, asphalt, concrete and steel contribute to the historic fabric of their regions and communities. This document will define the transportation historic context for the sub-category “automobile roads for the construction period of State Routes” in this specific instance. This context will use uniform definitions and standard historic road language taken from a national perspective and applied here to the state of Nevada (Ingalls 2009, Keane et al 2004, Marriott 2010, Wallace 2004). This context will also review national and state periods of road construction, general road types and road elements.

Historic road study, conservation and management are a relatively new concept. The design, materials and construction technology is as important to the site’s history as are the structures, buildings and landscape surrounding it. Historic roads have specific needs that require a unique perspective.

It is a natural part of the existence of these linear features that both through use and natural transformations they will degrade. Due to weather, use and wear, historic roads require regular and intensive maintenance to keep them functioning. The surface will erode and degrade. Surface water, groundwater, and the freeze/thaw cycle will undermine the structure. Vegetation will also work to reclaim the road.

However, these resources are rarely preserved for their own intrinsic value, saved and fenced off for people to look at. They are preserved with the goal of continued use. Transportation engineers didn’t consciously design unsafe roads. But safety values change over time. If we are to continue the use of older roads, increasing their safety values will be mandatory for in-place preservation.

The Three Types of Historic Roads: Aesthetic, Engineered and Cultural

Historic roads, like the roads of today, were authorized, funded and constructed for different reasons. Understanding the reason and intent for the road construction will set the tone to determine the best approach for analysis and management, leading towards potential preservation. In general, historic roads can be described by three categories: aesthetic, engineered and cultural.

Aesthetic

“Aesthetic routes represent historic roads designed to provide a very specific, and positive, traveler experience. In general these historic roads were designed for scenic enjoyment, leisure, recreation or commemoration. As such, aesthetic routes will have a documented purpose or goal behind their development...” (Marriott 2010: 18).

These are generally not the most direct or fastest routes. The route chosen will focus the traveler’s experience, whether that is a tree-covered mountainside, a lakeshore or a vista. In an urban setting, that focus on detail may be important buildings, civic landscapes, or rows of trees. Historic roads that primarily address the aesthetic road type by their concept and intent may be impacted by alteration to any key component of the road.

Engineered

“Engineered routes represent historic roads designed for the efficient movement of people, goods and services. They are our most common designed roadways. While they may exhibit some aesthetic qualities or features, their design intent will be rooted in efficiency of movement, ease of access, and prudent construction cost” (Marriott 2010: 19).

The word describing this road type is “pragmatic”. Of the “road elements” to be discussed, the alignment of an engineered road may be important in representing new technology or material usage. Historic roads that primarily address the engineered road type by their concept and intent may be impacted by alteration to any key component of the road.

Cultural

“Cultural routes represent historic roads that evolved through necessity or tradition. While it is possible some cultural routes may have a documented goal (‘We need a reliable route to deliver the mail’), they will not have the design and construction legacy or an aesthetic or engineered route” (Marriott 2010: 20).

These are roads that often evolved from trails to dirt roads to automobile routes. Cultural routes can often exhibit the most historic periods or layers. The historic periods that the modern road covers are also important to understanding the record. Historic roads that primarily address the cultural road type are more organic and undocumented in their origins. This makes these roads more difficult to assess for impacts in having to consider the key components and potentially buried historic layers present.

Of course, roads are often a combination of all three road types. In this case, NDOT will choose one of the road types to be the primary type that will lead the assessment.

Community planning can be an element in road construction. In urban environments, the typical American town grid is an example of planning. In Nevada, it’s often seen in modern towns as well as mining towns that were laid out.

The period of significance for historic roads is as important as it is for other historic resources. “A period of significance associated with a particular historic road will share a common history, technology and details...For aesthetic and engineered routes there is most always an initial period of significance associated with the years of design, construction and initial use. Cultural routes are more likely to have multiple periods of significance as changes in transportation or use affected the evolution of the historic road (Marriott 2010: 23).” Questions to establish the dates of significance should focus on the intersection of concept and intent with periods of significant road construction.

National Periods of Road Construction

As we travel towards considering the details of our specific road, the Pyramid Highway, next let’s consider national periods of significance that will help to understand the period of significance. The following periods are pulled from Paul Marriott’s work (2010). While Marriott proposes many periods that are specific for certain areas, this context only included those that cover Nevada. So, there won’t be a period of consideration for British colonial road building.

Colonial Roads, 1560-1776

Though colonial roads are not a common resource in Nevada, the potential does exist for colonial Spanish roads in Nevada. The Leyes de Indias (codified in 1680) set the general organization of the Spanish colonial transportation network. This law covered travel, communication and town planning. It set in motion the Caminos Reales (Royal Roads) for the Spanish colonies. These roads were to link the distant settlements with the New Spain capital of Mexico City. Mexico City was linked to Santa Fe by Friar Rodriguez in 1581. The royal roads would eventually cover about 600 miles, connecting Mexico City to 21 missions, two pueblos and four presidios, ending in the mission of San Francisco de Solano in Sonoma County.

Good Roads Movement, 1890-1926

Starting in the 1890's, the League of American Wheelmen, an organization of bicyclists, advocated for a network of national hard surface roads that would be suitable for bicycling. Combined with the farmer's need for access to markets and rural mail delivery, this became the Good Roads Movement. Invention of the pneumatic tire in 1885 started the League of American Wheelmen along this path. The significant input in this movement was from recreation and leisure users who demanded these improvements to explore the countryside and wilderness. In reaction, some states, such as New Jersey, responded by creating "highway departments".

Congress felt pushed by the call for better roads and appropriated \$10,000 to conduct a road inquiry in 1893. This developed into the Secretary of Agriculture to establish an Office of Roads Inquiry. This office responded by publishing technology bulletins on road building and also began preparing state and national road maps. In 1897, the office began constructing "object lesson roads" that started as 660 feet of macadamized roads to show the value of good improved roads. In 1905, Congress gave the office official funding and the name changed to the Office of Public Roads, which changed in 1915 to the Office of Public Roads and Rural Engineering.

In 1916, the first bill to establish the federally aided highway program was signed by Woodrow Wilson. The catch for each state was that a state highway department had to be established to receive federal funding. In Nevada, the Nevada Highway Department was established in 1917, ensuring that the state would receive about \$1 million in federal funding. In 1918, the Office of Public Roads and Rural Engineering became the Bureau of Public Roads (BPR) that would remain within the Department of Agriculture until 1939. In 1939, the BPR would shift to the New Deal Federal Works Agency and was renamed the Public Roads Administration (PRA).

Named Transcontinental Highways, 1912-1926

The Good Roads Movement and the period called Named Transcontinental Highways overlap. Transcontinental highways fit into the Good Roads Movement in a larger sense that they were part of the Good Roads Movement and the outcome the promoters and financiers had pushed for. Named Transcontinental Highways are called out here to distinguish roads that specifically fit into this category and not conflate them with other roads that came from the Good Roads Movement.

In April 1912, the National Old Trails Road Association formed to promote all-weather paved roads with no tolls from Washington D.C. and New York to Los Angeles. This is similar to Carl G.

Attachment A: Transportation Historical Context

Fisher's promotion in 1912 for a route from New York to San Francisco. Fisher's route was named the Lincoln Highway by financial and political backer Henry B. Joy, President of Packard Motor Car Company. After the Lincoln Highway, numerous road associations sprang up.

In 1914, the Association of State Highway Officials (AASHO) was formed. Today this group is known as the American Association of State Highway Transportation Officials, or AASHTO. AASHO was formed to promote legislation for good roads and develop, coordinate, and manage roadways and vehicle use.

The US Highway System, 1926-1956

AASHO requested the U.S. Secretary of Transportation to appoint a Joint Board on Interstate Highway. In 1925, this board undertook "immediately the selection and designation of a comprehensive system of through interstate routes, and to devise a comprehensive and uniform scheme for designation of such routes in such manner as to give them a conspicuous place among the highways of the country as roads of interstate and national significance" (Marriott 2010: 42). From this directive, the U.S. highway system was adopted in 1926. Roads were named numerically with east-west routes being even, and north-south routes being odd. Lower numbers would start on the east coast and the higher numbers would be on the west coast. Route numbers that ended in "1" were reserved for long distant north-south routes while "0" was reserved for long distant east-west routes.

Scenic Roads and Automobile Parkways, 1907-1960

Another result from the Good Roads Movement was promotion of recreation and leisure routes. The automobile, more so than the bicycle, became a mode of transportation for the growing middle class and the middle class used this vehicle as independent transportation. In part they chose their own itineraries and scenic destinations; they needed all-weather good paved roads to do this. Tourism increased from this all-weather road blossoming; day trips, drives and touring excursions were promoted to the "motoring" class. Beginning in 1893 with the World's Columbian Exposition's call to "See America First" campaign, American's took to the road to see the newly formed "national parks", recreational spaces and cultural attractions.

Modern Highway Network, 1940-1970

After the polish wore off the need for new all-weather paved roads, more efficient roads to get places were necessary as people began to rely on their vehicles. Automobile technology improved, allowing for faster movement. This faster movement forced road engineers to design, safer, higher speed roads. Marriott (2010:46) describes them thusly:

" Wide concrete ribbons raced across the...landscape as geographic barriers to our forefathers bowed. Rivers were crossed, mountains tunneled and hillside lowered. Even the pesky tollgates of the past were removed to exit ramps so as not to impede the modern traveler on his high speed mission. Significant too was the abandonment of landscape and parkway considerations that so strongly shaped and defined many of our first modern roads."

The design of the first high speed highway was the Pennsylvania Turnpike. It was designed for 12-foot concrete lanes, a 10-foot median and 10-foot berms at the highway's edge. The right-of-way for it was 200 feet wide. The road was super-elevated to maintain highway speeds and the minimum required line of sight distance was 600 feet.

From 1956 to 1970 was the promotion of the Interstate System. Signed into law by Dwight D. Eisenhower, the Federal Aid Highway Act established a national system of military and interstate highways.

State Specific Road Periods

Nevada State Routes, 1917-1946

State specific periods of significance are outside of the National periods of significance. In Nevada, State Routes are a classification of roads outside of roads classified as Interstate or U.S. Routes. As such, State Route construction on a state level would have begun only as early as the start of the Nevada Highway Department in 1917; the Nevada Highway Department being the first state level organization to construct roads. The construction period for state routes will be set in this context as starting at 1917 and ending at the end of World War II in 1946, this mirrors the use of the concrete “N” right-of-way marker. The hypothesis for the State Route period of significance as mirroring the concrete “N” right-of-way marker brackets the period between the start of the Nevada Highway Department and the beginning of the advent of Modern National Highway System.

Road Elements

Before assessing the roads for their significance, it is helpful to set the characteristics of roads. Roads can be described in three parts, their length, their materials, and their construction. A “road” is comprised of the travelway, the roadside, and the setting. As with integrity, the characteristics of the road parts in their total may not be applicable. Certain roads may only have certain characteristics. The characteristics as defined by Marriott (2010) will be used to continue the national significance perspective. Redefinition for purposes of applicability to Nevada will proceed at a later date.

The Road

The parts of the road itself comprise the physical construction that was used for the movement of people and goods. The road has nine characteristics (Marriott 2010: 11-12):

travelway

The travelway refers to the area of the road dedicated to the movement of vehicles. This may also be referred to as a “carriage way” or “travel lane”.

pavement

Pavement is the durable or semi-durable surface of the travelway. Pavement may be dirt, gravel, wood (planks, wood block, or corduroy—logs lain side-by- side), stone (cobblestone or granite Belgian-block), brick, macadam, concrete or asphalt.

alignment

Alignment refers to the horizontal or vertical movement of the road. More specifically, horizontal alignment refers to a road’s movement to the left or right -- its curves -- and vertical alignment refers to a road’s movement up and down -- its hills. Horizontal and vertical alignment may, of course, overlap—a winding road up a mountain slope, for example, has aspects of both horizontal (curves) and vertical (mountain slope) alignment.

subsurface

Subsurface refers to the stabilized base beneath the pavement. The subsurface provides both a stable base to support the pavement and a finished surface on which to lay or adhere the pavement. It is the subsurface that comes in contact with the ground. For some cultural routes, the subsurface may be the pavement of an earlier era, thus making the subsurface an archaeological resource.

crown

The crown of a road is the rise or upward arc toward the center of the travelway that provides for drainage. The crown directs water away to a gutter, shoulder or swale.

curb

A curb is a raised face at the edge of the travelway or gutter. Generally 6-12" in height, a curb provides a physical barrier between the travelway and the adjacent sidewalk or landscape. Curbs may be granite, concrete, asphalt, stone, brick or wood.

gutter

A gutter is a channel at the edge of the travelway designed to collect and direct surface or rainwater away from the road. Gutters are generally concrete or brick.

shoulder

A shoulder is a stabilized surface that runs parallel to and is flush with the travelway. In general a shoulder is utilized for higher speed roads without a curb and gutter. It varies in width and may or may not be constructed of the same material as the travelway. Shoulders are generally viewed as a safety feature— providing a disabled vehicle a safe and easy place to pull over.

structures

The road may be associated with essential structures that are integral to its design and function. These may include bridges, culverts, tunnels, tollbooths and retaining walls.

The Roadside

The parts of the roadside comprise the area from edge of the shoulder to the area immediately adjacent to the road. These elements enhance features of the road itself, such as, safety or easements. In Nevada, this area generally is from edge of shoulder to the right-of-way fence. The fourteen characteristics are (Marriott 2010: 13-14):

right-of-way

The right-of-way includes the road and the adjacent lands parallel to the road under ownership or easement by the transportation department (or other agency or road owner) and includes the road. In many instances the right-of-way also includes road related features (drainage or signage) or general public services (utilities). The right-of-way may exactly equal the width of the road, or may include an area of sidewalks, street trees or bike paths; or land reserved for future highway construction. Some parkways and scenic roads have extensive right-of-ways (in cases extending significant distances from the roadway) for the conservation of natural areas or the provision of a buffer from adjacent development. Historic roadside features may be located within or outside the right-of-way.